

By Mr. ROBERTS of Nevada: Petition of the Nevada Banking Association, indorsing the plan proposed by the National Monetary Commission; to the Committee on Banking and Currency.

By Mr. SULZER: Memorial of American Institute of Architects, for Lincoln memorial as recommended by the National Fine Arts Commission; to the Committee on the Library.

Also, petition of Sioux City (Iowa) Commercial Club, favoring the erection of embassy buildings in the cities of Mexico, Rio de Janeiro and Tokyo; to the Committee on Foreign Affairs.

Also, petitions of the transportation bureau of the Seattle (Wash.) Chamber of Commerce; of the civic bodies of the State of Washington; and of the San Jose (Cal.) Chamber of Commerce, praying for the enactment of legislation providing that vessels engaged in domestic commerce between ports of the United States be granted free passage through the Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, resolution of Lodge No. 56, Switchmen's Union of North America, of New York, in favor of House bill 13911, to provide for the least number of men to be assigned to each engine or locomotive engaged in handling cars used in interstate commerce, etc.; to the Committee on Interstate and Foreign Commerce.

Also, petitions of New York State Association of Hardware Jobbers; of Stanford-Crowell Co., of Ithaca, N. Y.; and of Alfred M. Best Co., of New York City, in favor of 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petitions of Hungarian Publishing Co., of New York City, and of Octavius Hiltman, of Brooklyn, N. Y., praying for the enactment of House bill 14, to extend the parcel-post system; to the Committee on the Post Office and Post Roads.

Also, memorial of National League for Medical Freedom, urging that medical practice in Panama Canal Zone be not limited to any one school of medicine; to the Committee on Railways and Canals.

By Mr. TOWNER: Petitions of citizens of the State of Iowa, protesting against a further extension of parcel post; to the Committee on the Post Office and Post Roads.

By Mr. WILLIS: Petition of the White Eagle Tribe, Improved Order of Red Men, of Marysville, Ohio, asking for the enactment of a law to provide for the erection of an American Indian memorial and museum building in the city of Washington; to the Committee on Public Buildings and Grounds.

Also, petition of Fred Beckwith and other members of the Improved Order of Red Men, St. Paris, Ohio, asking for the enactment of a law to provide for the erection of an American Indian memorial and museum building in the city of Washington; to the Committee on Public Buildings and Grounds.

Also, petitions of the Lutheran, Friends, and First Methodist Episcopal Churches, of Urbana, Ohio, asking for the enactment of a law for the regulation of interstate commerce in intoxicating liquors and for protection of territory where the sale of intoxicating liquors is prohibited by the State laws; to the Committee on the Judiciary.

By Mr. WOOD of New Jersey: Papers to accompany House bill 8380, granting an increase of pension to Thomas L. Stringer; to the Committee on Invalid Pensions.

By Mr. YOUNG of Texas: Petition of sundry citizens of Van Zandt County, Tex., in opposition to House bill 9433, for the observance of Sunday in post offices; to the Committee on the Post Office and Post Roads.

Also, petition of March & Ross, of Mount Enterprise, Tex., and of J. W. Newman and other citizens of Lindale, Tex., against extension of parcel post; to the Committee on the Post Office and Post Roads.

SENATE.

Monday, January 29, 1912.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of the proceedings of Thursday last was read and approved.

SERVICE OF CERTAIN LINE OFFICERS OF THE ARMY.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, returning, in compliance with its request, Senate resolution 171, directing the Secretary of War to furnish a statement showing the names, rank, and organizations of all officers of the line of the Army who during the six years ending July 31, 1911, had not served four years in the organizations in which they were respectively commissioned, etc., which was ordered to be indefinitely postponed.

EAST WASHINGTON HEIGHTS TRACTION RAILROAD CO. (H. DOC. NO. 488).

The VICE PRESIDENT laid before the Senate the annual report of the East Washington Heights Traction Railroad Co., of

the District of Columbia, for the year ended December 31, 1911, which was referred to the Committee on the District of Columbia and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions of law filed by the court in the following causes:

Mary E. Reynolds, widow of Joseph J. Reynolds, deceased, *v.* United States (S. Doc. No. 285);

Silas E. Gardner *v.* United States (S. Doc. No. 284);

Mary W. Gifford, widow of John F. Gifford, deceased, *v.* United States (S. Doc. No. 283);

Alice E. Gunn, widow of William A. Gunn, deceased, *v.* United States (S. Doc. No. 282);

Edward S. Hay *v.* United States (S. Doc. No. 281);

Eva H. Davis, widow of Ross J. Hazeltine, *v.* United States (S. Doc. No. 280);

Ellen Brew, widow of Frank Brew, deceased, and sundry subnumbered cases *v.* United States (Mare Island Navy Yard) (S. Doc. No. 279);

Hannah J. Adams, widow of Augustus H. Adams, deceased, and sundry subnumbered cases *v.* United States (Portsmouth, N. H., Navy Yard) (S. Doc. No. 278);

Clarkson V. Hendrickson and Jasper Chisholm *v.* United States (Brooklyn Navy Yard) (S. Doc. No. 286);

Clarence Marks and George T. Clifford *v.* United States (Pensacola Navy Yard) (S. Doc. No. 287);

Clements T. Dant and sundry subnumbered cases *v.* United States (Washington Navy Yard) (S. Doc. No. 277); and

Sussana R. Lovejoy, widow of John T. Lovejoy, deceased, *v.* United States (Washington Navy Yard) (S. Doc. No. 276).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 4339) to authorize the Lewisburg & Northern Railroad Co. to construct, maintain, and operate a railroad bridge across the Cumberland River in the State of Tennessee, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 17681. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1913, and for other purposes;

H. R. 18335. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 18336. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 18337. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 18712. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented resolutions adopted by the New York Board of Trade and Transportation, favoring certain reforms in the war pension system of the United States, and praying for the appointment of a special committee to investigate the present pension system, which were referred to the Committee on Pensions.

He also presented a memorial of Local Union No. 15, Cigar-makers' International Union, of Chicago, Ill., remonstrating against the imposition of any tax on cigars furnished to employees by the manufacturers thereof, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Nelson, Wis., remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Big Sandy, Tenn., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Washington, D. C., praying for the establishment of a training school for white girls in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Park View Citizens' Association, of Washington, D. C., praying for the passage of the so-called public utility bills and remonstrating against the entire expense of the administration of these proposed bills upon the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented resolutions adopted by the East Washington Heights Citizens' Association, of Washington, D. C., favoring the purchase of Fort Davis and Fort Dupont for park purposes, which were referred to the Committee on the District of Columbia.

He also presented resolutions adopted by the Rhode Island Avenue Suburban Citizens' Association, of Washington, D. C., favoring the enactment of legislation authorizing the widening and extension of Rhode Island Avenue extended and also for the extension of Irving Street NE., which were referred to the Committee on the District of Columbia.

He also presented the petition of Thomas M. Henry, of Washington, D. C., relative to the proposed street railway line on Eighteenth Street, Calvert Street, Cleveland Avenue, Thirty-fourth Street, Macomb Street, and Massachusetts Avenue NW., in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented petitions of the National Congress of Mothers; of Mrs. Charles P. Weaver, organizer of School Improvement Leagues, of Frankfort, Ky.; of James E. Russell, dean of Teachers' College, Columbia University, New York, N. Y.; and of Charles A. Lory, president of the State Agricultural College, of Fort Collins, Colo., praying that an appropriation be made for the extension of the work of the Bureau of Education, which were referred to the Committee on Appropriations.

He also presented a petition of the Young People's Christian Endeavor Union of Marlboro, N. H., and a petition of the senior class of Pinkerton Academy, of Derry, N. H., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

Mr. CULLOM presented memorials of sundry citizens of Colorado, New York, and New Jersey, remonstrating against the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

He also presented memorials of sundry citizens of Barry, Altona, Joliet, and Virden, all in the State of Illinois, remonstrating against the extension of the parcel-post system beyond its present limitations, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of Local Union No. 15, Cigar-makers' International Union of America, of Chicago, Ill., remonstrating against the imposition of a tax on cigars furnished employees by the manufacturers thereof, which was referred to the Committee on Finance.

He also presented a petition of the Illinois Institute of Accountants, of Chicago, Ill., praying for the adoption of an amendment to the corporation tax law permitting corporations to make returns at the end of their fiscal years, which was referred to the Committee on Finance.

He also presented a petition of members of the Woman's Club of Champaign and Urbana, Ill., praying for the repeal of the oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of sundry citizens of Greenville, Ill., and a petition of the congregation of the College Church of Christ, of Wheaton, Ill., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the North Shore Congregational Church, of Chicago, Ill., and of the Methodist Episcopal Church, the Baptist Church, and the Congregational Church, of Yorkville, Ill., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

Mr. BRISTOW presented a petition of Lincoln Post, No. 1, Department of Kansas, Grand Army of the Republic, of Lincoln, Kans., praying for the passage of the so-called dollar-a-day pension bill, which was referred to the Committee on Pensions.

He also presented petitions of the congregations of the Washington Avenue Methodist Episcopal Church and the First Congregational Church, of Parsons, Kans., and of the Woman's Christian Temperance Union of Newton, Kans., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Clifton and Beulah and of members of Farmers' Educational and Cooperative Union No. 637, of Bazine, all in the State of Kansas, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Hanston and Cherokee, and of members of the Retail Merchants' Association of Attica, all in the State of Kansas, remonstrating against the extension of the parcel-post system beyond its present limitations, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of members of the Cannery League of California, praying for the enactment of legislation providing for the construction of 15 large ocean-going steamers, and also giving to the Interstate Commerce Commission jurisdiction over transportation rates by and through the Panama Canal, which was referred to the Committee on Inter-oceanic Canals.

He also presented sundry papers to accompany the bill (S. 4694) granting an increase of pension to Wesley C. Harvey, which were referred to the Committee on Pensions.

Mr. CRAWFORD presented memorials of sundry citizens of Andover, Hayti, Murdo, Rockham, and Veblen, all in the State of South Dakota, remonstrating against the extension of the parcel-post system beyond its present limitations, which were referred to the Committee on Post Offices and Post Roads.

Mr. BURNHAM presented a petition of members of the Monday Club, of Rochester, N. H., and a petition of the Young People's Christian Union of Marlboro, N. H., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

Mr. WORKS presented a petition of the Woman's Christian Temperance Union and of sundry citizens of Visalia, Cal., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens, daughters of Civil War veterans, of Sawtelle, Cal., praying that an investigation be made into the conditions at the soldiers' home at Santa Monica, Cal., which was referred to the Committee on Military Affairs.

Mr. NELSON presented petitions of the congregations of the Methodist Episcopal Church and the Presbyterian Church and of the Woman's Christian Temperance Union, all of Winnebago, in the State of Minnesota, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Minneapolis, Minn., praying for a reduction of the duty on raw and refined sugars, which were referred to the Committee on Finance.

Mr. BRANDEGEE presented a memorial of the Business Men's Association of New London, Conn., remonstrating against the proposed abolishment of the Revenue-Cutter Service, which was referred to the Committee on Commerce.

He also presented a petition of the First Christian Science Society of Greenwich, Conn., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which was ordered to lie on the table.

He also presented a memorial of members of the Patrick Sarsfield Club, of Waterbury, Conn., remonstrating against the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, unless as amended, by the Senate Committee on Foreign Relations, which was ordered to lie on the table.

Mr. CLARK of Wyoming presented a petition of Quaker City Lodge, No. 6, Independent Order of Good Templars, of Philadelphia, Pa., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

Mr. BURTON presented a petition of the Chamber of Commerce of Dayton, Ohio, praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which was ordered to lie on the table.

He also presented resolutions adopted by the Federation of Labor and by members of the American Peace Society, of Cleveland, Ohio, praying for the ratification of the proposed

treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

Mr. GAMBLE presented a memorial of 22 citizens of Tolstoy, S. Dak., remonstrating against the observance of Sunday as a day of rest in post offices, which was referred to the Committee on Post Offices and Post Roads.

He also presented the memorial of Benjamin F. Keith, of Dalzell, S. Dak., remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

Mr. BROWN presented sundry affidavits in support of the bill (S. 3945) granting a pension to Anna A. Yule, which were referred to the Committee on Pensions.

He also presented sundry affidavits in support of the bill (S. 3416) granting an increase of pension to John Larimer, which were referred to the Committee on Pensions.

He also presented sundry affidavits in support of the bill (S. 4237) granting a pension to William C. Couch, which were referred to the Committee on Pensions.

He also presented sundry affidavits in support of the bill (S. 3418) granting an increase of pension to Levi Page, which were referred to the Committee on Pensions.

He also presented a petition of the Nebraska Conference of Charities, praying for the passage of the so-called children's bureau bill, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Hastings, Nebr., and a memorial of sundry citizens of Norfolk, Nebr., remonstrating against the extension of the parcel-post system beyond its present limitations, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Culbertson, Nebr., praying for the passage of the so-called parcel-post bill, which was referred to the Committee on Post Offices and Post Roads.

He also presented resolutions adopted by the congregations of the Congregational and the Methodist Episcopal Churches of Butte, Nebr., favoring the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

He also presented resolutions adopted by the Omaha Commercial Club, of Nebraska, favoring the enactment of legislation giving the Bureau of Immigration power to furnish aliens with certain information relative to the resources and opportunities of the country, which were referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Beatrice, Nebr., praying for the enactment of legislation providing for the regulation of the pay of the Organized Militia, which was referred to the Committee on Military Affairs.

Mr. HITCHCOCK presented a petition of members of the Nebraska National Guard, of Beatrice, Nebr., and a petition of sundry business men of Beatrice, Nebr., praying for the enactment of legislation providing for the regulation of the pay of the Organized Militia, which were referred to the Committee on Military Affairs.

He also presented a memorial of Strain Post, No. 201, Grand Army of the Republic, Department of Nebraska, of Plymouth, Nebr., remonstrating against the incorporation of the Grand Army of the Republic, which was referred to the Committee on the District of Columbia.

He also presented resolutions adopted by the Commercial Club of Omaha, Nebr., favoring an appropriation for the erection of a proper memorial to Abraham Lincoln in the form of a hospital, industrial school, or model farm for the negro race, which were referred to the Committee on Appropriations.

Mr. KERN presented resolutions adopted by the Woman's Club of Covington, Ind., and resolutions adopted by the Current Events Club, of Jeffersonville, Ind., favoring the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

He also presented a memorial of sundry citizens of Odon, Ind., remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

Mr. SMITH of South Carolina presented a memorial of sundry citizens of South Carolina, remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

Mr. SHIVELY presented a petition of members of the Magazine Club, of Indianapolis, Ind., praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Anderson, Ind., praying for the enactment of legislation to regulate the pay of members of the Organized Militia, which was referred to the Committee on Military Affairs.

He also presented a memorial of Local Branch No. 229, Continental League, of Brooklyn, N. Y., remonstrating against the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France unless amended as reported by the Senate Committee on Foreign Relations, and also that a similar treaty with Germany be submitted for ratification, which was ordered to lie on the table.

He also presented a petition of Cambridge City Post, No. 179, Department of Indiana, Grand Army of the Republic, of Cambridge City, Ind., praying for the passage of the so-called dollar-a-day pension bill, which was referred to the Committee on Pensions.

He also presented a petition of the South Bend Retail Grocers' and Butchers' Association, of Indiana, praying for the repeal of the oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

Mr. PAYNTER presented a memorial of sundry citizens of Clinton, Ky., remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

He also presented the petition of Miranda J. Stevens, of Maysville, Ky., praying that she be granted a pension, which was referred to the Committee on Pensions.

He also presented the petition of Mary E. Hoops, of Maysville, Ky., praying that she be granted a pension, which was referred to the Committee on Pensions.

Mr. OVERMAN. I present resolutions adopted by the Chamber of Commerce of Wilmington, N. C., which I ask may be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the resolutions were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

CHAMBER OF COMMERCE,
WILMINGTON, N. C., January 24, 1912.

Resolution in protest against any interference with the present scheme of operation of the Revenue-Cutter Service.

Be it resolved, That the Chamber of Commerce of Wilmington, N. C., in meeting assembled January 23, 1912, has learned with dismay of a threatened innovation proposed by the Economy Board, which, if effected, would do away with the Revenue-Cutter Service as now operated.

Resolved, That, in view of the fact that in the brief period from August 20, 1911, to January 23, 1912, the command operated from the Wilmington Station alone has rescued 10 valuable vessels and cargoes, amounting in value to the sum of \$785,000, and, further, has saved and preserved the lives of 102 seamen, officers, and, in some instances, women, and believing that in the average duration of 12 months the service, as performed at Wilmington, operates a saving of safely three to five millions of dollars in lives and property, to say nothing of the added confidence which the service, as now perfected and operated, gives to local and foreign shipping concerned with the coasts of the country, does hereby emphatically protest against any interference with the present maintenance and operation of the Revenue-Cutter Service and does pray that the Congress will overthrow any efforts which may tend to such interference.

Resolved, That a copy of these resolutions be spread upon the minutes of this association, and, in addition, that a copy be furnished our Representatives and Senators in Congress with request that energetic action be taken by them for the prevention of the suggested interference.

Respectfully submitted,

M. V. GUERESS,
MARCUS W. JACOBI,
HUGH MACRAE,
Committee.

Mr. OVERMAN presented petitions of sundry citizens of Charlotte and Salisbury, in the State of North Carolina, praying for the enactment of an interstate liquor law to prevent the nullification of the State liquor law by outside dealers, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Windsor, Lewiston, Cahaba, and Quitsna, all in the State of North Carolina, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

Mr. WARREN presented a petition of sundry citizens of Wyoming and Colorado, praying for the enactment of legislation providing for the improvement of grazing on the public lands, which was referred to the Committee on Public Lands.

Mr. O'GORMAN presented petitions of sundry citizens of Norwich and Batavia, of the congregations of the Methodist Episcopal Church and the First Baptist Church of Wellsville, and of the Woman's Christian Temperance Unions of Canandaigua and Wellsville, all in the State of New York, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Brooklyn and New York City, in the State of New York, praying for the

ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

Mr. WETMORE presented memorials of members of the Tilden Club, of Providence; of the Tenth Ward Improvement Club, of Providence; and of Local Division No. 22, Ancient Order of Hibernians, of Providence, all in the State of Rhode Island, remonstrating against the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, unless amended as reported by the Senate Committee on Foreign Relations, which were ordered to lie on the table.

He also presented a petition of 45 citizens of Davisville, R. I., praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented resolutions adopted by the State Federation of Women's Clubs of Rhode Island, favoring the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

Mr. McLEAN presented a memorial of the Patrick Sarsfield Club, of Waterbury, Conn., and a memorial of Carpenters and Joiners' Local Union No. 115, of Bridgeport, Conn., remonstrating against the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

He also presented a petition of the Christian Science Society of Greenwich, Conn., and a petition of the congregation of the Congregational Church of Newington, Conn., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

He also presented a memorial of Local Council No. 293, United Commercial Travelers of America, of New Haven, Conn., remonstrating against the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the Business Men's Association of New London, Conn., remonstrating against the proposed abolishment of the Revenue-Cutter Service, which was referred to the Committee on Commerce.

He also presented a petition of the Farmers' Educational and Cooperative Union of America, praying for the establishment of a children's bureau in the Department of Commerce and Labor, which was ordered to lie on the table.

He also presented a petition of the Board of Trade of Norwalk, Conn., praying for the repeal of the pulp and paper clause of the reciprocity act with Canada, which was referred to the Committee on Finance.

He also presented a petition of the Woman's Christian Temperance Union of Shelton, Conn., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

Mr. OWEN presented a petition of the Iowa Indians of Oklahoma, praying that certain relief be granted to them, which was referred to the Committee on Indian Affairs.

EXECUTIVE CONTINGENT FUND OF MISSISSIPPI.

Mr. WILLIAMS. I present certain resolutions of the Legislature of the State of Mississippi, and in compliance with its wish request that they be printed in the CONGRESSIONAL RECORD.

The resolutions were referred to the Committee on Privileges and Elections and ordered to be printed in the RECORD, as follows:

REPORT OF JOINT COMMITTEE ON EXECUTIVE CONTINGENT FUND.

To the Legislature of Mississippi:

Your committee has had under consideration for several days past the matter of Gov. Vardaman's disbursement of this and other funds during his administration, concerning which much has been said and published broadcast over the State derogatory to his business capacity and personal integrity. We were induced to enter upon this investigation at this time by the written request of Gov. Vardaman, couched in the following language:

JACKSON, MISS., January 6, 1912.

Hon. FRANK BURKITT,

Chairman Joint Committee on Executive Fund,
Jackson, Miss.

MY DEAR SIR: I am going to ask you, and through you the joint committee, to investigate and report to your respective houses the matter of my handling the funds committed to me while governor. I have been the victim of much persecution and the target of all manner of obloquy and slander. The legislature is the only tribunal vested with the power to settle this matter, and I trust your committee will take the matter up and do justice between the State of Mississippi and me in the premises.

Cordially and sincerely,

JAS. K. VARDAMAN.

In complying with this request the committee proceeded with the investigation by first calling Mr. C. J. Moore, the expert accountant, who has spent much time in going over the records, at a cost to the State of \$1,535, and who has given out to the press for months past inter-

views charging that Gov. Vardaman had drawn and expended money for which he can find no vouchers in the governor's office. This is probably true, but Hon. George R. Edwards, who served as private secretary for 2 years and 10 months of Gov. Vardaman's term, testified that vouchers were taken for every cent expended during his time, and Mr. W. J. Buck, who succeeded him and who is at present the most efficient private secretary of Gov. Noel, tells your committee that he followed the same rule and filed vouchers for every expenditure, save \$10 paid for postage stamps, during the 14 months he served as Gov. Vardaman's secretary. Mr. Buck also informed your committee that he made up the executive contingent fund to the end of the year 1907 and that said account tallied with the auditor's and treasurer's books, except the \$10 above mentioned, a receipt for which was afterwards found. "The metal case in which these vouchers were placed," said Mr. Buck, "was not locked, and any person desiring to do so might have access to them." Whether the missing vouchers were designedly removed or misplaced by accident Mr. Buck nor the committee is prepared to say, but it is a matter of record that while Edwards was secretary the joint committee, headed by Hon. G. Wood McGee, on April 19, 1906, checked up the executive contingent account, item by item, for 1904 and 1905, and found it correct. (See report of committee, senate journal 1906, p. 1078; also see Chairman Greaves's report, house journal, p. 1290.)

It is a significant fact that Accountant Moore's report shows that Vardaman was behind on account of this fund for these years, which only proved that some of the vouchers examined by the McGee committee on April 19, 1906, were afterwards lost, mislaid, or had been abstracted, for Edwards testifies that on this occasion Vardaman called the stub book and he produced the vouchers, one by one, until the investigation was complete.

Another significant fact is, we find the word "unsatisfactory," Exhibit 6, page 12, report of committee of 1910, was ordered stricken out by the committee at that time and was left in by oversight, the order being to strike out the word "unsatisfactory" wherever it appeared in the report.

Secretary Buck made up the statement showing the disbursement of this fund for the years 1906 and 1907, and was ready to present it to the joint committee appointed in 1908, but that committee made no investigation until two years afterwards, when it appeared some of the vouchers were missing. Your committee has been unable to determine by what instrumentality these vouchers disappeared, but we think it is rational to conclude that neither Vardaman nor any friend of his abstracted them from the file. Much has been said and written about a double expense charge made by Gov. Vardaman on the occasion of his visit made to the university, and also one made to the East Mississippi Insane Hospital. Accountant Moore told your committee that Gov. Vardaman drew from the contingent funds sums of money to pay the expenses of these trips, and also drew the same or similar amounts out of the university and hospital funds, and this he regarded as positive proof of the misappropriation of public funds. Mr. Moore, perhaps, did not know that Gov. Vardaman made an experiment with bloodhounds following a negro several miles around Oxford and finally treed him in the courthouse yard, as an object lesson to the hundreds of darkies assembled there at that time, and that he paid all the expenses of the experiment, including the hire of the negro, livery teams, etc.; and he, perhaps, was not apprised of the fact that Gov. Vardaman on one or more of his visits to the East Mississippi Insane Hospital found it necessary to carry a private secretary with him, and, of course, his expenses were paid out of the contingent fund; but he did not know that owing to delayed trains, caused by wrecks or washouts, the expenses of such trips are often largely increased, and the apparent double charges which proved so convincing to him and his advisers and abettors would possibly have never been thought of, except as a necessity for campaign thunder.

Your committee believes that had the joint committee of 1908 promptly discharged the duty assigned them immediately after their appointment they would have found the account for 1906 and 1907 correct, as did the McGee committee in the investigation of the accounts of 1904 and 1905, above cited, and the public would have been spared much of the humiliation and disgust begotten by this "much ado about nothing." We are apprised of the fact that much money was spent in the effort to recapture Reagan and to discover the brute who assaulted poor Mamie Marsh under the very shadow of this capitol. Some of the vouchers connected with these cases are said to be missing. We endeavored to determine the amount for our own satisfaction but were unable to do so. We know, however, that this money would have gone far toward offsetting the pretended deficit; and since both Edwards and Buck testify that the vouchers were taken and filed for every expenditure made out of the executive contingent fund, we unhesitatingly acquit the ex-governor of any and all charges of speculation in connection with the executive contingent fund.

THE MERIDIAN CYCLONE FUND.

In reference to the Meridian cyclone fund we find the following state of facts:

The governor is charged by the expert accountant with \$4,931 and credited with \$4,000 turned over to Col. H. M. Street. In a time of such dire distress as prevailed at Meridian when the city was visited by the terrible tornado—when live and dead men were pinned down under the fallen houses—a methodical Wall Street banker would have scarcely thought of calmly paying out money and exacting a receipt from everyone with whom he had to deal; but the testimony of Col. Rachford and Mr. W. H. King discloses the fact that Gov. Vardaman, on hearing the news of the awful calamity, immediately chartered a special train and engaged these gentlemen to secure as many negro laborers in Jackson as possible; that the train left here with 35 or 40 of these laborers; that it stopped at the Rankin farm and took aboard all of the able-bodied convicts; that at Pelehatchie a few more laborers were secured; and when the train reached Meridian this force was put to work clearing away the debris. Mr. King was furnished with the money to pay the free laborers he employed. The governor, of course, paid for the maintenance of the convicts while there; and Gen. Fridge, being on the ground with the National Guard, was directed by the governor to press every able-bodied man into service and compel their assistance in the work of rescue, and that well-known and very efficient officer tells your committee that he paid out to these impressed men \$175.50, which was furnished him by the governor. Mr. King thinks he expended some six or seven hundred dollars in settling with the laborers he controlled, including his own salary, which, he says, was allowed him from Saturday until Tuesday week following at the rate of \$5 and expenses. He states that in settling with the governor he furnished an itemized account from the time book he kept, but that this book he used on that occasion was burned when his house was destroyed by fire; consequently he could not at this late day speak with absolute accuracy. Your committee, taking into consideration the pay

of the free laborers employed, the maintenance of the convicts, and his own personal expenses, are not surprised that a man of sympathetic nature and generous impulses should have expended \$931.05 in relieving the distress of his fellows at such a time and under such circumstances, and the wonder to us is he did not spend a much larger sum. In view of the facts above stated, your committee thinks the Meridian cyclone proposition should henceforth be regarded as a closed incident.

THE ANTEDATED NOTES.

While this matter is not a part of the executive contingent fund, a deal of criticism has been indulged in because notes were antedated in order to borrow \$200,000 to tide the State government over the summer of 1906, which transaction was authorized by an act of the legislature approved April 21, 1906.

Your committee was aware of the fact that the application for this loan was made to the Merchants Bank & Trust Co. of the city of Jackson, Miss., but the details were unknown to any one of us until explained by the gentlemanly president of that institution. Mr. Anderson stated, in substance, that about May 1 of that year Gov. Vardaman called on him requesting the loan, which he said would not be needed before July. The act authorizing the loan provided a rate of interest of 5 per cent per annum. Mr. Anderson declined to make the loan from his bank at that rate of interest, for money was at that time rated at New York at 5 per cent, but he undertook to negotiate from the Equitable Life Assurance Society the loan, and instituted at once a correspondence with Mr. Paul Morton, who was at that time the president of the Equitable. It was ascertained that the money could be obtained, provided an arrangement could be made by which the cost of transporting the \$200,000 to Jackson and returning same when paid, to cover the interest for, say, 10 days, and a brokerage commission to the Merchants' Bank. To do this the governor was confronted with the alternative, either to antedate the notes or to call an extraordinary session of the legislature at a cost to the people of from \$25,000 to \$30,000. In this emergency it was agreed that if Mr. Anderson would indorse the notes they would be dated May 1, although the money was not to be paid until the 1st of July. There was no concealment in this matter, but it was open and aboveboard.

Mr. Anderson notified Mr. Morton of this arrangement and that gentleman expressed some fear that its legality might be questioned when the legislature came to make an appropriation for the payment of the notes and interest. Whereupon, Gov. Vardaman was notified and he forthwith submitted the question to Attorney General Williams, who wrote a favorable opinion, which opinion was approved by all of the members of the supreme court. Mr. Anderson mailed this opinion, with its indorsement by the court, to Mr. Morton, and the sum of \$201,644.44 (being the principal loan and the accrued interest from May 1) was promptly forwarded to the Merchants Bank & Trust Co. The bank retained the \$1,644.44 to defray the expenses of securing the loan and as commissions, and paid the \$200,000 into the treasury and took the treasurer's receipt for same. Mr. Anderson affirms that Gov. Vardaman never saw a dollar of the money and never received a cent as compensation for the part he had in the matter. During the recent campaign this transaction was aired in the public press and threats were made to hold the Equitable Life responsible for the \$1,644.44. Judge Day, who is now the president of the Equitable, seems to have been greatly annoyed thereby, as we learn from a long letter submitted to us by Mr. Moore, the expert accountant, who doubtless stirred up this commotion at the instigation of his coconspirators for political effect. Mr. Anderson, being informed of this matter through the public press and otherwise, proceeded at once to notify Gov. Noel that neither the Equitable Life nor Gov. Vardaman participated in this accrued interest amounting to \$1,644.44, and if it could be shown that the pre-dating of the notes, in the face of the opinion rendered by the law officers of the State, was not strictly legitimate, the Merchants Bank & Trust Co. was ready to refund the money. Notwithstanding this manly and businesslike assurance from the bank, we are told that suits have been brought to recover from the bank and Vardaman this identical money, and that said suits are now pending in the courts. Mr. A. C. Jones, late president of the Mississippi Bank & Trust Co., informs your committee that an almost identical transaction was negotiated by Gov. Vardaman through his bank. The next legislature that met after the notes given in both transactions fell due being in possession of all the facts and circumstances under which the money was obtained, appropriated the money and paid the loan and the interest and thereby approved the loan as it was made to the State. This committee recommends that this legislature do now approve said action of the legislature in approving and paying said loan and the interest thereon, and recommend that the said suit in the circuit court of the first district of Hinds County, Miss., styled "State of Mississippi against Merchants Bank & Trust Co." be dismissed, and that the bill of complaint in the chancery court of the first district of Hinds County, styled "The State of Mississippi against James K. Vardaman et al.," also be dismissed.

THE SPANISH-AMERICAN WAR FUND.

Handled by Gov. Vardaman, was settled on the — day of —, 1908, and every penny accounted for, as is attested by the report of the committee of which Hon. William McLaurin, then and now a member of this senate, and Hon. S. Joe Owen, then a member of the senate and now a member of the house, were members. (See Senate Journal, 1908 pp. 807-813.)

THE BRYAN FUND.

Which was a donation of \$500 by that distinguished gentleman to the Industrial Institute and College at Columbus, was also the subject matter of gross misrepresentation during the late strenuous campaign. The facts are Gov. Vardaman paid the interest on this fund while he held it in hand, and after he retired from office he paid over the money to President Whitfield or the authorized agent of the college. Indeed, all the curious may be satisfied as regards the disposition of this fund by reference to House Journal, 1910, pages 1529 and 1530, wherein Mr. Gaston, secretary of the Industrial Institute and College, reports the settlement of this matter in full.

THE BATTLESHIP FUND.

This was a fund raised by private subscription for the purpose of purchasing a silver service for the battleship named for our State. Your committee has been shown the little book in which the original entries were made crediting individuals and committees for their respective contributions and naming, in the case of committees, the party who paid him the money. These entries were made by Mr. George R. Edwards, then private secretary to the governor, showing the date when the money was received in every instance except two, which are in the handwriting of Gov. Vardaman. Total amount collected was \$1,705.50, and this, we understand, is the exact sum paid over to the silver-service commission.

Your committee has endeavored to investigate the disbursement of these several funds without bias and with a united purpose to give both sides of the controversy every opportunity to be heard, and after having examined 15 witnesses we have evolved the facts as above stated, and by unanimous agreement offer the following resolution, with the hope that it may meet a unanimous indorsement:

"Resolved, That the report of the joint committee on executive contingent funds be approved, and that James K. Vardaman is, and of right should be, exonerated by this legislature, as he has been by an unprecedented majority of the people at the polls, from any and all charges of misappropriation of public or trust funds of any character handled by him while governor of Mississippi.

"Resolved further, That this report be spread upon the journals of the senate and house and that a copy be forwarded to Senator JOHN SHARP WILLIAMS, with instructions to request that it be printed in the CONGRESSIONAL RECORD.

"FRANK BURKITT, Chairman,

"C. KENDRICK,

"CLAYTON D. POTTER,

"Senate Committee.

"H. W. CRENSHAW, Chairman,

"T. T. DEAVENPORT, Secretary,

"L. S. HEMPHILL,

"J. D. STENNIS,

"S. JOE OWEN,

"House Committee."

I, J. W. T. Falkner, jr., secretary of the Senate of Mississippi for the session 1912, do hereby certify that the above and foregoing eight pages of typewritten matter is a true and correct copy of the report of joint committee on executive contingent fund as presented to the Senate of Mississippi on January 12, 1912; and that said report was adopted by the senate on said date, together with the resolution, thereto attached, and spread upon the last page of said report; and that the said foregoing report and resolution, as herein set forth, is a true and correct copy as spread upon the journal of the senate for the ninth day, being January 12, 1912.

[SEAL.]

J. W. T. FALKNER, JR.,

Secretary of Senate.

I, Stokes V. Robertson, clerk of the House of Representatives of the State of Mississippi for the regular session of 1912, do hereby certify that the above and foregoing eight pages of typewritten matter is a true and correct copy of the report of joint committee on executive contingent fund as presented to the House of Representatives of Mississippi on January 12, A. D. 1912; and that said report was adopted by the house of representatives on said date, together with the resolution, thereto attached, and spread upon the last page of said report; and that the said foregoing report and resolution, as herein set forth, is a true and correct copy as spread upon the journal of the house of representatives for the ninth day, being January 12, A. D. 1912.

[SEAL.]

STOKES V. ROBERTSON,

Clerk of the House of Representatives.

Mr. WILLIAMS. I likewise want to have inserted immediately after the resolutions a letter from me to the secretary of the Mississippi State Senate, which is a copy of a letter which was sent to the clerk of the Mississippi House of Representatives.

The VICE PRESIDENT. Without objection, the letter will be printed in the RECORD, to follow the memorial from the legislature.

The letter referred to is as follows:

JANUARY 29, 1912.

MR. J. W. T. FALKNER,

Secretary of the Senate, Jackson, Miss.

MY DEAR SIR: I received upon Friday, too late to offer that day to the Senate of the United States, the communication signed by you and by the clerk of the house of representatives, containing certain resolutions passed by the Legislature of the State of Mississippi, which they desire to have published in the CONGRESSIONAL RECORD. The Senate adjourned on Friday until Monday.

I have no sort of objection to making the request of the United States Senate that the matter sent me shall be so published. I note, however, that the last part of the last clause of the resolutions is in these words: "That a copy be forwarded to Senator JOHN SHARP WILLIAMS with instructions to request that it be published in the CONGRESSIONAL RECORD."

(The italics are mine.)

I at first thought that I would send the resolutions back to you, with the request that they be submitted to the two houses of the Mississippi State Legislature, with a view of having the word "instruct" stricken out and the word "request" substituted therefor. I subsequently concluded, however, that if I did that, it might be misunderstood, and even where not misunderstood purposely tortured misconstrued, and that it was better to ignore the word "instruct" and to treat the communication as a request, in so far as the last clause is concerned, and to make the request of the Senate which was asked me. This I shall do to-day, Monday.

I think, however, that it is due to the people of Mississippi and to myself to lodge with the two houses of the Mississippi State Legislature a statement which shall, as a contemporaneous protest, prevent the language which you use from being tortured into a precedent for the future.

Even in the old days when the legislatures elected Senators the right of a State legislature to instruct a Senator was a mooted question. The assertion of such a right was defied by Senator Lamar. I have heard Senator Walthall deny it, and have understood that Senator, afterwards President, Davis questioned it.

I was one of those men in Mississippi who, when the legislature undertook to instruct Senator Lamar, and when he appealed from the legislature to the common masters of both of them—the people of Mississippi—took the position that although I was for free silver I was against the assertion of the right upon the part of a legislature to instruct a Senator. The people of Mississippi, nine-tenths of whom were in favor of the Bland-Allison bill, as was subsequently proved by their votes upon the silver question, sent Lamar back to the United States Senate, and thereby disapproved of the position taken by the Legislature of the State of Mississippi in its pretense of a right to instruct him.

The reason, even in the old time, when legislatures "made and unmade" Senators, which was conclusive to my mind against the general right of legislative instruction, was this: That if such a right existed, then a Whig legislature might instruct a Senator who had been elected by a Democratic legislature, or vice versa, and a Republican legislature might instruct a Senator who had been elected by a Democratic legislature, and vice versa, thus bringing about the queer spectacle of having a man who had been elected by one body of one school of politics, for the express purpose of advocating the policies of that school of politics, instructed by another legislature to nullify the policies to which he had pledged himself, and in favor of which he was instructed by the body which elected him.

Leaving, however, the old argument in the old time out of consideration, I can not, under the new régime, where the people of Mississippi elect their own Senators by instructing the legislature for whom they shall vote, let pass a new assertion, under entirely new conditions, of a former and a questioned right. As legislatures no longer elect Senators in Mississippi, except pro forma, they no longer have the right to instruct them, even if they ever had it, which is a disputable proposition.

For fear my compliance with your wish to get leave to insert your resolutions in the CONGRESSIONAL RECORD, under the phraseology of your last resolution, might be tortured in the future into a precedent, and quoted as such, I write this letter to say that I have concluded to regard your so-called "instructions" as a request made to me upon your part, and so regarding it shall comply with it, as I would with almost any other request of any Legislature of the State of Mississippi. I have thought this statement due, not so much to myself as to the people of the State, who are my masters and yours, and no less yours than mine.

I would request that this letter be spread upon your record or journal, so that for future time my compliance with your wish may not be tortured into a participation on my part in a precedent in favor of the alleged "right of instruction" by a legislature of a Senator, especially where he was elected not by them but by the people. I shall also have this letter or a statement to the same effect—one or the other, I haven't yet decided which—placed in the CONGRESSIONAL RECORD when I present your resolutions, and shall request that it be published in the RECORD, so as to keep the record here straight as well as at your end of the line, thus doubly preventing anybody in the future from contending that I admitted your right to instruct me.

Meantime, it may be that you did not really intend to attempt to "instruct," but intended to "request," and that the unthoughtfulness, or undemocracy, of the draftsman of the resolutions led your body unguardedly into the adoption of the wrong word. I am, with every expression of regard,

Very truly, yours,

JOHN SHARP WILLIAMS.

REPORTS OF COMMITTEES.

Mr. BRISTOW, from the Committee on Military Affairs, to which was referred the bill (S. 3622) to amend section 4875 of the Revised Statutes, to provide a compensation for superintendents of national cemeteries, reported it with an amendment and submitted a report (No. 259) thereon.

Mr. REED, from the Committee on Commerce, to which was referred the joint resolution (S. J. Res. 69) authorizing the licensing and employment of Otto Neumann Sverdrup as master of vessels of the United States, reported it without amendment and submitted a report (No. 260) thereon.

Mr. OVERMAN, from the Committee on the Judiciary, to which was referred the bill (S. 4651) to amend section 171 of the penal laws of the United States, approved March 4, 1909, reported it without amendment and submitted a report (No. 261) thereon.

Mr. ROOT, from the Committee on the Judiciary, to which was referred the bill (S. 4029) to amend chapter 11 of the judicial code, reported it without amendment.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KERN:

A bill (S. 4842) granting an increase of pension to Oliver P. Stout (with accompanying papers); to the Committee on Pensions.

By Mr. BRYAN:

A bill (S. 4843) requiring the Commissioner of Pensions to include in his annual reports certain information relative to pensions; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 4844) to provide for the construction and operation of a railroad in Alaska, and for other purposes; to the Committee on Public Lands.

A bill (S. 4845) authorizing the establishment of aids to navigation in Alaskan waters and making an appropriation therefor;

A bill (S. 4846) to authorize the Northern Pacific Railway Co. to construct a bridge across the canal connecting the waters of Puget Sound with Lake Washington at Seattle, in the State of Washington;

A bill (S. 4847) providing for the construction of two steam launches for the United States Revenue-Cutter Service for duty in the waters of Puget Sound; and

A bill (S. 4848) to authorize additional aids to navigation in the Lighthouse Establishment, and for other purposes; to the Committee on Commerce.

A bill (S. 4849) providing for the appointment of an assistant treasurer of the United States at the city of Seattle, in the State of Washington; to the Committee on Finance.

A bill (S. 4850) to establish on the coast of the Pacific States a station for the investigation of problems connected with the marine fishery interests of that region; to the Committee on Fisheries.

A bill (S. 4851) granting travel pay and subsistence to Joseph F. Dwelley; to the Committee on Military Affairs.

A bill (S. 4852) to provide a site and erect a public building at Anacortes, Wash.; and

A bill (S. 4853) to provide a site and erect a public building at Chehalis, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. GALLINGER:

A bill (S. 4854) to authorize the opening, widening, and extension of highways within and adjacent to the subdivision of the Barry farm, and for other purposes (with accompanying papers); and

A bill (S. 4855) to amend Subchapter I, relating to institutions of learning, and Subchapter III, relating to societies, benevolent, educational, etc., of Chapter XVIII of "An act to establish a code of law for the District of Columbia," approved March 3, 1901 (with accompanying papers); to the Committee on the District of Columbia.

A bill (S. 4856) to amend sections 6 and 7 of the pure-food act of June 30, 1906, and for other purposes (with accompanying papers); to the Committee on Manufactures.

By Mr. CULLOM:

A bill (S. 4857) for the relief of William Leech; to the Committee on Claims.

A bill (S. 4858) granting an increase of pension to William N. Rutledge (with accompanying papers); and

A bill (S. 4859) granting a pension to James Phillips (with accompanying papers); to the Committee on Pensions.

By Mr. CRAWFORD:

A bill (S. 4860) to satisfy certain claims against the Government arising under the Navy Department (with accompanying papers); to the Committee on Claims.

By Mr. BRISTOW:

A bill (S. 4861) to provide for tolls for the use of the Panama Canal, and for other purposes; to the Committee on Inter-oceanic Canals.

By Mr. DIXON:

A bill (S. 4862) authorizing and directing the Secretary of the Interior to investigate and settle certain accounts, and for other purposes; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. NELSON:

A bill (S. 4863) granting an increase of pension to Jacob B. Copley (with accompanying papers); to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 4864) granting an increase of pension to William Kenny; to the Committee on Pensions.

By Mr. NIXON:

A bill (S. 4865) to carry out the findings of the Court of Claims in the case of B. Klucny; to the Committee on Claims.

By Mr. GAMBLE:

A bill (S. 4866) to amend an act entitled "An act making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1907"; and

A bill (S. 4867) to authorize the Secretary of the Interior to use the proceeds from the sale of certain lands within the Coeur d'Alene Reservation for the benefit of the Coeur d'Alene Indians; to the Committee on Indian Affairs.

By Mr. PAGE:

(By request.) A bill (S. 4868) to provide for the grading and improving of Pennsylvania Avenue SE. from Bowen Road to the District line; to the Committee on the District of Columbia.

A bill (S. 4869) granting an increase of pension to David R. Mullikin (with accompanying papers); to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 4870) granting an increase of pension to William H. De Kay; to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 4871) for the relief of Thomas J. Keith; to the Committee on Claims.

A bill (S. 4872) granting an increase of pension to Garret Patterson;

A bill (S. 4873) granting an increase of pension to Jacob Shrode; and

A bill (S. 4874) granting a pension to Josephine Owens (with accompanying papers); to the Committee on Pensions.

By Mr. ROOT:

A bill (S. 4875) granting a pension to Frank D. Lasher; and

A bill (S. 4876) granting a pension to Catherine Downs; to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 4877) for the relief of Sylvester P. Hill; to the Committee on Military Affairs.

By Mr. DU PONT:

A bill (S. 4878) granting an increase of pension to Elizabeth Canby Breese; and

A bill (S. 4879) granting an increase of pension to Frances Doherty; to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 4880) granting an increase of pension to Olive C. Morrill (with accompanying paper); to the Committee on Pensions.

By Mr. GORE:

A bill (S. 4881) to increase the limit of cost of the Federal building and site at McAlester, Okla.;

A bill (S. 4882) to increase the limit of cost of the Federal building and site at Chickasha, Okla.;

A bill (S. 4883) to provide for the erection of a public building at Shawnee, Okla.;

A bill (S. 4884) to provide for the erection of a public building at Bartlesville, Okla.;

A bill (S. 4885) to provide for the erection of a public building at Sapulpa, Okla.;

A bill (S. 4886) to provide for the erection of a public building at Okmulgee, Okla.;

A bill (S. 4887) to provide for the erection of a public building at Anadarko, Okla.;

A bill (S. 4888) to provide for the erection of a public building at Pauls Valley, Okla.;

A bill (S. 4889) to provide for the erection of a public building at Norman, Okla.;

A bill (S. 4890) to provide for the erection of a public building at Claremore, Okla.;

A bill (S. 4891) to provide for the erection of a public building at Mangum, Okla.;

A bill (S. 4892) to provide for the erection of a public building at Chandler, Okla.;

A bill (S. 4893) to provide for the erection of a public building at Ada, Okla.;

A bill (S. 4894) to provide for the erection of a public building at Wagoner, Okla.;

A bill (S. 4895) to provide for the erection of a public building at Woodward, Okla.;

A bill (S. 4896) to provide for the erection of a public building at Nowata, Okla.;

A bill (S. 4897) to provide for the erection of a public building at Pawhuska, Okla.;

A bill (S. 4898) to provide for the erection of a public building at Hugo, Okla.;

A bill (S. 4899) to provide for the erection of a public building at Clinton, Okla.;

A bill (S. 4900) to provide for the erection of a public building at Altus, Okla.;

A bill (S. 4901) to provide for the erection of a public building at Frederick, Okla.;

A bill (S. 4902) to provide for the erection of a public building at Elk City, Okla.;

A bill (S. 4903) to provide for the erection of a public building at Vinita, Okla.;

A bill (S. 4904) to provide for the erection of a public building at Hobart, Okla.; and

A bill (S. 4905) to provide for the erection of a public building at Durant, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. PAYNTER:

A bill (S. 4906) granting a pension to Irene J. Reed;

A bill (S. 4907) granting a pension to W. B. Showalter;

A bill (S. 4908) granting an increase of pension to Henry K. Brawner; and

A bill (S. 4909) granting an increase of pension to John Burton (with accompanying papers); to the Committee on Pensions.

By Mr. CRANE:

A bill (S. 4910) for the relief of William Cotter; to the Committee on Military Affairs.

By Mr. GORE:

A bill (S. 4911) to increase the limit of cost of the Federal building and site at Ardmore, Okla.; and

A bill (S. 4912) to increase the limit of cost of the Federal building and site at Oklahoma City, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. OWEN:

A bill (S. 4913) to enable the Indians allotted lands in severalty within the boundaries of Little River drainage district No. 1, in Pottawatomie County, Okla., to cooperate with the officials of said State in the protection of their lands from overflow; to the Committee on Indian Affairs.

A bill (S. 4914) granting an increase of pension to George A. Wageck (with accompanying paper); to the Committee on Pensions.

By Mr. GAMBLE:

A bill (S. 4915) for the relief of the Winnebago Indians of Wisconsin; to the Committee on Indian Affairs.

A bill (S. 4916) granting a pension to Jennie M. Osgood (with accompanying papers);

A bill (S. 4917) granting an increase of pension to G. G. Seger (with accompanying papers); and

A bill (S. 4918) granting an increase of pension to Benjamin F. Whitehouse (with accompanying papers); to the Committee on Pensions.

By Mr. DIXON:

A joint resolution (S. J. Res. 71) authorizing the State of Montana to take timber from the Deerlodge National Forest for certain purposes; to the Committee on Public Lands.

By Mr. LODGE:

A joint resolution (S. J. Res. 72) making provision for the Fifth International Congress of Chambers of Commerce and Commercial and Industrial Associations; to the Committee on Foreign Relations.

WEATHER BUREAU STATION, MUSKOGEE, OKLA.

Mr. OWEN submitted an amendment proposing to appropriate \$25,000 for the establishment, equipment, and maintenance of a weather bureau station at Muskogee, Okla., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

PLANT INVESTMENT CO.

Mr. BRISTOW. I desire to enter a motion to reconsider the vote by which the bill (S. 3087) for the relief of the Plant Investment Co., of New York, N. Y., was ordered to a third reading and passed on last Thursday.

The VICE PRESIDENT. The motion to reconsider will be entered.

Mr. BRISTOW. I move that the House be requested to return the bill to the Senate.

The motion was agreed to.

HOUSE BILLS REFERRED.

H. R. 17681. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1913, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

The following bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 18335. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 18336. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 18337. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 18712. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors.

THE CALENDAR.

The VICE PRESIDENT. The morning business is closed. The calendar is in order under Rule VIII.

The bill (S. 2518) to provide for raising the volunteer forces of the United States in time of actual or threatened war was announced as first in order on the calendar.

The VICE PRESIDENT. The bill was read in full July 8, 1911, and it has been amended. It is now in Committee of the Whole and open to amendment.

Mr. WARREN. I am very certain the chairman of the committee having charge of the bill wishes to be here when it is considered. So I ask that it may go over without prejudice.

The VICE PRESIDENT. The bill will go over.

The bill (S. 2925) providing for a Confederate naval monument in the Vicksburg National Military Park was announced as next in order.

Mr. HEYBURN. Let that bill go over.

The VICE PRESIDENT. The bill goes over.

The resolution (S. Con. Res. 4) instructing the Attorney General of the United States to prosecute the Standard Oil Co. and the American Tobacco Co. was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The resolution goes over.

Mr. HEYBURN. That is pending on a motion to refer.

Mr. SMOOT. I believe the Senator who introduced the resolution asked the last time the calendar was up that the resolution go over.

Mr. HEYBURN. I have no objection to its going over.

The VICE PRESIDENT. The resolution goes over.

The bill (S. 290) to authorize the appointment of dental surgeons in the United States Navy was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

The bill (S. 4314) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was announced as next in order.

The VICE PRESIDENT. The bill has been heretofore read in full. It is before the Senate as in Committee of the Whole and open to amendment. If there be no amendment to be offered, the bill will be reported to the Senate.

Mr. SMOOT. I do not object to the consideration of this bill, but I think it is due the Senator from Georgia [Mr. SMITH] to call his attention to the fact that the bill is now under consideration.

The VICE PRESIDENT. The bill will be reported to the Senate.

The bill was reported to the Senate without amendment.

Mr. HEYBURN. I have an amendment to offer.

Mr. SMITH of Georgia. Mr. President, I ask that the bill go over. I do this with the sanction of the chairman of the Committee on Pensions [Mr. McCUMBER].

The VICE PRESIDENT. The bill goes over.

Mr. SMITH of Georgia. I also ask that the other pension bills on the calendar go over, and that when they are hereafter taken up the Chair will call my attention to the fact.

The bill (S. 3160) to establish at Holeb, Me., a subport of entry in the customs collection district of Bangor, Me., and for other purposes, was announced as next in order.

Mr. JOHNSON of Maine. I ask that that bill go over.

The VICE PRESIDENT. The bill goes over.

The bill (S. 2493) authorizing the Secretary of the Treasury to make an examination of certain claims of the State of Missouri, was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

Mr. STONE. I hope the bill will not go over unless some one insists. I should like to have it taken up.

The VICE PRESIDENT. A request was made that the bill go over.

Mr. SMOOT. I should like to say to the Senator from Missouri that I directed a letter to the Secretary of the Treasury in connection with this bill, and I expect an answer now any day. Just as soon as I receive that answer, I shall call attention to it.

Mr. STONE. If the Senator desires to have the bill go over—

Mr. SMOOT. Yes; I should like to have the bill go over.

The VICE PRESIDENT. The bill goes over.

The bill (S. 4050) for the relief of Catherine Ratchford was announced as next in order.

Mr. CURTIS. Mr. President, let that bill go over. I have called for information in relation to it.

The VICE PRESIDENT. The bill goes over.

The bill (S. 4239) to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications was announced as next in order.

Mr. SMOOT. I ask that that bill go over for to-day.

The VICE PRESIDENT. The bill goes over.

The resolution (S. Res. 176) requesting the President to make certain inquiries of the Governments of Great Britain and France touching the arbitration of justiciable controversies or disputes was announced as next in order.

Mr. LODGE. Let that go over.

The VICE PRESIDENT. The resolution goes over.

MESSANGER FOR COMMITTEE ON MINES AND MINING.

The resolution (S. Res. 184) authorizing the Committee on Mines and Mining to employ a messenger was announced as next in order.

Mr. LODGE. Mr. President, that resolution went over on the objection of the Senator from Wyoming [Mr. WARREN], and I know he desires to offer an amendment to it, as it contains a clause to which he objects.

Mr. WARREN. I ask that the resolution may be read.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution reported from the Committee to Audit and Control the Contingent Expenses of the Senate on the 17th instant, as follows:

Resolved, That the Committee on Mines and Mining is hereby authorized to employ a messenger at a salary of \$1,200 per annum, to be paid from the contingent fund of the Senate until otherwise provided for by law.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WARREN. I move to strike out the last portion of the resolution, which reads, "until otherwise provided for by law."

The VICE PRESIDENT. The amendment proposed by the Senator from Wyoming will be stated.

The SECRETARY. In lines 5 and 6 of the resolution it is proposed to strike out the words "until otherwise provided for by law."

The amendment was agreed to.

The resolution as amended was agreed to.

BILLS PASSED OVER.

The bill (S. 4623) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was announced as next in order.

The VICE PRESIDENT. The Chair understands that that goes over under the request made by the Senator from Georgia [Mr. SMITH].

The bill (S. 4624) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, was announced as next in order.

The VICE PRESIDENT. That bill likewise goes over, at the request of the Senator from Georgia [Mr. SMITH].

The bill (S. 1014) for the relief of the Ottawa Indian Tribe of Blanchard Fork and Rouch de Boeuf was announced as next in order.

Mr. CURTIS. Let that bill go over.

The VICE PRESIDENT. The bill goes over.

The bill (S. 3175) to regulate the immigration of aliens to and the residence of aliens in the United States was announced as next in order.

Mr. LODGE. Let that bill go over.

The VICE PRESIDENT. The bill goes over.

SURPLUS LANDS IN STANDING ROCK INDIAN RESERVATION.

The bill (S. 109) to authorize the sale and disposition of the surplus and unallotted lands in the Standing Rock Indian Reservation, in the States of South Dakota and North Dakota, and making appropriation and provision to carry the same into effect, was announced as next in order, and the Senate, as in Committee of the Whole, proceeded to its consideration. The bill had been reported from the Committee on Indian Affairs with an amendment.

The VICE PRESIDENT. The amendment reported by the Committee on Indian Affairs will be stated.

Mr. BACON. I desire to ask the Senator from South Dakota some questions. I do not know whether to ask him before the amendment is presented to the Senate or not.

Mr. GAMBLE. It is simply a clerical error. It does not matter whether the Senator propounds his questions now or later.

Mr. BACON. If it is merely a clerical matter, I will propound my questions first.

I confess, speaking generally, that I know nothing about Indian affairs. I have never been on that committee, and there is none of that property involved in by section, but I do recall the fact that the Senator from South Dakota has had passed within the last several sessions quite a number of these laws, and I remember that in the discussions which have ensued there has been developed the fact that very large sums of money were involved and that in several instances, where there were

large exchanges of land, there was some very important things that required very close attention on the part of the Senate.

I do not mean to suggest that there is anything in this bill to which I would object; there may not be; but I do think it is a matter of sufficient importance to have a full explanation on the part of the Senator from South Dakota.

I will illustrate to him as somewhat of an indication of the matters upon which I desire to have some information: I would like to know in the first place how much in the way of territory is involved in this bill. I want to know of just how much of the proceeds or the benefits derived from the sales of these lands, by exchange or otherwise, the Indians are to be the direct beneficiaries?

Then I want to know how many others, if the Senator pleases, are to be beneficiaries under this bill, whether they be those interested in educational matters or otherwise.

I think we are entitled, in view of the fact that it is public domain and that this is not simply a mere sale, where the settlers will buy and where the Indians will receive the money, but where from the reading of the bill, as I gather, there are a good many involved matters, to know from the Senator what is the fact about those matters and others. I think the bill ought to be fully explained to the Senate.

Mr. GAMBLE. Mr. President, the total area involved in the present bill embraces 1,131,280 acres of land. That part of the area within the State of South Dakota embraces 748,880 acres and in North Dakota 564,480 acres.

Some four years ago about one-half of the Standing Rock Indian Reservation, embracing lands almost entirely within the State of South Dakota, a slight portion being in North Dakota, were opened to settlement. By this it is proposed to open to settlement all of the remaining lands on this reservation, aggregating the acreage which I stated, and embraces lands in both of these States. This bill is identical in its provisions, with only one slight and unimportant modification as to the selection of school lands where sections 16 or 36 have been taken by allotments to Indians, to the one that passed the Senate during the last Congress and to which the attention of the senior Senator from Georgia was attracted at the time and was a subject of discussion. A bill identical in form passed the Senate last week for the opening to settlement of the remaining lands upon the Cheyenne Indian Reservation, immediately south of the area embraced within the provisions of the pending measure and with an acreage substantially the same as this. This measure also passed the Senate during the last Congress, but neither bill passed the House during that Congress. As a result, the bill is again here for consideration.

In the first instance, all the Indians upon this reservation who have not already received allotments will, under the provisions of this bill, be given allotments before the lands are opened to settlement. All the remaining and unallotted lands, except the school lands reserved to the respective States, are opened, too, through authority given in the bill, by proclamation issued by the President of the United States. The bill further provides that a commission, consisting of three members, shall be appointed by the President to appraise and classify the lands to be opened. The Indians are represented thereon by some one holding tribal relations with the tribe. The Interior Department is also represented on the commission. A resident citizen of each State, respectively, is made a member of the commission, and each to act only while the lands in the respective States are under consideration. The commission must complete its work within six months from its organization, and the appraisal and classification so made are subject to the approval of the Secretary of the Interior.

The settlers who file upon the lands thus opened must pay at the time of filing one-fifth of the appraised price in cash. Within two years thereafter one-fifth of the balance is paid annually until the whole amount due is liquidated. The final payment must be made within six years from the date of filing. The Government acts solely as the trustee for the Indians in disposing of the lands. In no sense is the Government responsible to the Indians or to the settler. If the settler does not make payment in compliance with the law, he forfeits his rights, loses his land, and the payments theretofore made inure to the benefit of the Indians. The amounts so paid by the settlers are placed in the Federal Treasury to the credit of the tribe and interest at the rate of 3 per cent is paid thereon, as provided by the terms of the bill.

Under the enabling act by which the State was admitted into the Union the school sections were granted to the State, and the State is given under this bill the right to take sections 16 and 36 in each township, as was provided by the organic act, and the Government pays the Indians therefor. No regard is or has been paid by the Government in the matter of allotments

as regards sections 16 and 36. Frequently these sections, or parts of them, are taken by Indians, and where they are thus lost to the State by being so taken, then the State is given the right to take another section, or part of a section, in lieu thereof, as the case may be.

Mr. OVERMAN. Do I understand the Senator from South Dakota to say that the lands going to the State as school lands are to be paid for out of the Public Treasury?

Mr. GAMBLE. Out of the Public Treasury. That is the agreement under the enabling act, and that has been the uniform practice heretofore.

Mr. OVERMAN. The Senator says that has been the practice?

Mr. GAMBLE. Yes; and it has been uniformly followed.

I think that covers all of the substantial features of the bill.

Mr. BACON. Mr. President, I understand the explanation of the Senator from South Dakota to be to the effect that the lands are to be sold and the Indians will get the benefit of the proceeds, and then there are provision as to settlers by which they will receive their title, and so forth. I have not had opportunity to look over the bill. I did not know until the Senator made the statement that it is the same bill that we had up in the last Congress. I recognized that it had many of the same features, and I recollected somewhat indistinctly that when we had the bill up before us in the last Congress the thing about which there was the greatest discussion was—

Mr. GAMBLE. Land lotteries.

Mr. BACON. The large sum of money which would go to the State. Am I not correct about that?

Mr. GAMBLE. No; I think not. Because the amount named in this bill is the same sum that was in the bill when it formerly was under consideration. I might say after this bill in the first instance was introduced it was submitted by a special agent of the Interior Department to the Indians of this reservation, and its provisions were agreed to by them. Some suggestions were made by the Indians as to modifications, and these were considered by the department, and most of them were made a part of the bill. It is identical in its provisions with the former bill, except as it applies to the school sections, as I have heretofore suggested.

Mr. BACON. The Senator states that under the enabling act certain sections were reserved for the public-school system of the State.

Mr. GAMBLE. Yes; and granted to the State by the act.

Mr. BACON. By the enabling act, specifying sections 16 and 36?

Mr. GAMBLE. Yes, sir.

Mr. BACON. Very well. The question I want to ask the Senator is this: I understand from the Senator that if any of these sections 16 and 36 have already been allotted to the Indians, the State, under authority of this bill, is authorized to proceed to make selections of other locations in lieu thereof.

Mr. GAMBLE. Yes, sir.

Mr. BACON. I presume there is a considerable difference in the value of some of those sections of land.

Mr. GAMBLE. They must be selected under the direction of the Secretary of the Interior—

Mr. BACON. What?

Mr. GAMBLE. That is, the selections are to be made by the governor of the State, or through his representative, and these selections must be approved by the Secretary of the Interior.

Mr. BACON. Is there any provision that the lands shall be of like value?

Mr. GAMBLE. No; there is not, because the approval of the Secretary of the Interior is required, and this would be a protection in that regard.

Mr. BACON. Does not the Senator think there should be a provision that the lands should be of like value?

Mr. GAMBLE. I hardly think so, because the proposition would be this: The Indians have already selected the school lands, for the reason, undoubtedly, they are the best. Then to all the remaining Indians lands have been allotted, and the poorer class of land remains, from which the selection must be made, so that in no event would it be better lands than that taken.

Mr. BACON. If in no event there could be a better selection, there would not be any harm done to North Dakota or South Dakota, as the case may be, if there was a provision that the lands selected should not exceed in value those in sections 16 or 36, of which the State had been deprived.

Mr. GAMBLE. I would have no objection to such an amendment. At the same time, the bill is guarded in that respect for the reason that the selections must be approved by the Secretary of the Interior, and in that way the Indians would be protected.

Mr. BACON. I desire to ask the Senator further if there are any other lands, except sections 16 and 36 or those which may be chosen in place thereof, the proceeds of which, or the lands themselves, go to any other persons than to the Indians.

Mr. GAMBLE. No, sir. There is a provision in regard to town sites.

Mr. BACON. Very well.

Mr. GAMBLE. They would be selected and reserved for town-site purposes by the Secretary of the Interior. From the sale of the lots there is a reservation of 20 per cent, which goes to the benefit of the town with which to build schoolhouses or to make public improvements for the local community. But all the proceeds except the 20 per cent go to the Indians.

Mr. BACON. Do not the towns get the proceeds of sections 16 and 36 in the same way?

Mr. GAMBLE. No; that does not apply in the same way. The lots are sold by the Government for the benefit of the Indians and the money turned into the Federal Treasury for their benefit. This was thought a wise provision. It had the approval of the Secretary of the Interior and was, as I recall it, suggested as an amendment by the department. This is the usual provision found in bills of this character for the past few years.

Mr. BACON. The Senator does not catch my question, or, possibly, I am infelicitous in its expression. The enabling act gives to the State of South Dakota sections 16 and 36 for public school purposes.

Mr. GAMBLE. Yes, sir.

Mr. BACON. Now, that is not limited to the area of South Dakota outside of the municipal organizations, is it? In other words—

Mr. GAMBLE. It is sections 16 and 36, and it is so provided by the enabling act. Now, these town sites or towns that may be laid out will not be laid out on sections 16 and 36. They will be located elsewhere.

Mr. BACON. If the Senator would permit me to state the question before he replies possibly it would save time. I am asking a specific question, and it is merely for information. That is whether the enabling act which sets aside sections 16 and 36 limits the benefit of that provision to outside of the town sites or towns, whichever you may call them, or whether the towns or townships are not entitled to their regular proportion of sections 16 and 36, the same as any other.

Mr. GAMBLE. They are.

Mr. BACON. Then, the purpose here is to go beyond the provisions of the enabling act, which gives sections 16 and 36 of whatever subdivision or whatever name it may be given—

Mr. GAMBLE. The township.

Mr. BACON. To the township for the purpose of public schools, and now proposes, wherever there is a town laid, in addition it shall have 20 per cent of the proceeds. In other words, that is taken from the Indians.

Mr. GAMBLE. In the opening of the lands on this reservation about four years ago the area opened then was substantially the same as is here proposed.

I think there were only two or three Government town sites reserved, with an area of probably 80 acres each; I do not recall the size—at least not over a hundred and sixty acres; and it was thought wise by the department, and it was suggested by the department, that in the sale of the town lots, under new conditions, with no opportunity for the levy of taxes, that at first 20 per cent might be reserved for the benefit of the community in the building of schoolhouses. There is also a provision reserving a small area for a park.

Mr. BACON. That would depend a great deal upon the number of towns laid off.

Mr. GAMBLE. That would be done by the Secretary of the Interior, so that there would be no hardship or imposition practiced upon the Indians.

Mr. BACON. That may be done by the Secretary of the Interior, but it is our business to pass laws, and we ought not to include in a law any improper provisions on the theory that the danger will be minimized by giving to the Secretary of the Interior opportunity to concur or nonconcur.

I do not like to interfere in a matter which does not particularly concern me. I am not on the committee. As I said in the beginning, I know little or nothing about the conditions relating to Indian affairs, and I am not in one of the States where that question can possibly be raised, because in my State the Government has never owned any land except such as has been ceded to it for public buildings, and so forth. But I recall, Mr. President, the debate in the last Congress when there were very substantial objections made to the Senator's bill, and in the absence of objection to its consideration, I have taken

the responsibility of at least calling attention to it. I do not propose to make myself officious in the matter by offering an amendment or anything else. I do say, however, it strikes me that when the Government has set apart sections 16 and 36 for public educational purposes in every township it has acted very liberally. Some people have challenged the propriety of this setting apart of the public domain for the special benefit of the States organized within which this public domain may be situated. I confess I have been myself disposed to recognize the impropriety of such a grant to the States. But that question was passed upon when the enabling act was passed. The liberal provision of two sections in every township was made, and now this is just that much money taken away from those Indians.

Mr. GAMBLE. In my judgment there would be no loss to the Indians, because the proceeds go to them, with the exception of the amount named.

Mr. DIXON. Will the Senator from Georgia let me cite him a concrete example, by the permission of the Senator from South Dakota? If the Senator was more familiar with the conditions attending the opening of Indian lands to white settlement, I think he would say instead of 20 per cent it ought to be 40 per cent.

The section to which the Senator called attention, and to which he finds some objection, merely provides that when these town sites on the Indian lands are sold the proceeds shall go into Indian funds, credited to them, but that 20 per cent of the proceeds of the sales of the town lots shall go into the school fund to build schoolhouses at these new towns.

Mr. BACON. And parks.

Mr. DIXON. I want to say to the Senator from Georgia I recall personally a case where an Indian reservation was opened without such a provision. The people take up these lands, paying for the same in five annual installments, with the result that there is little taxable land for that length of time. There is no taxable property in those counties, and but little personal property, for four or five years to come. The lands are settled, with hundreds of children demanding school facilities and with no property taxable in the county. This provision merely takes 20 per cent of the proceeds from the sale of the town site to build schoolhouses for the white and Indian children in that locality.

I had a letter the other day from an Indian reservation opened in my State without this wise provision. They say there are 300 Indian children in that school district. They have no money in the public-school fund for the reason that there is little assessable property. They are asking the department here to help them to the extent of \$100 a month to take care of these wards of the Government.

Mr. BACON. Will the Senator allow me to ask him a question?

Mr. DIXON. Certainly.

Mr. BACON. Why does not the State of Montana provide for its public schools?

Mr. DIXON. It does; but the counties levy their own school funds. In the counties opened in the Indian country there is no taxable property. We appropriated last year \$250,000 for Indian counties in Oklahoma where the title was held under trust patents, and not one acre in twenty in the county was subject to taxation. It leaves whole counties without any funds to carry on their local public schools. For that reason the department is now recommending that 20 per cent of the proceeds of the town sites shall be devoted to school purposes.

Mr. BAILEY. They do take it away from the Indian.

Mr. DIXON. The Indian participates in the schools.

Mr. BAILEY. But he furnishes what he participates in while the others participate in what they do not furnish. This is a proposition to sell the Indian's property even against his will.

Mr. DIXON. They are very happy to do it in this case.

Mr. BAILEY. Very often it is done against the will of the Indian, and the land is opened to white settlers. Now, you take 20 per cent of this particular property—

Mr. GAMBLE. Only town sites.

Mr. BAILEY. I understand. You take 20 per cent of this particular property and devote it to the education of his own children and the children of those who come to acquire his lands which have been opened for settlement.

As far as I am concerned, if this was land belonging to the United States, I would be willing to give it all to the State in which it is situated. I think we are wasting that estate, and I have said so repeatedly; but I am not willing to compel the Indians to give it away, for they will need the whole price of this land a long time before they are able to compete against those white people who will come in there to occupy it.

Mr. DIXON. If the Senator from Texas will permit me, these Indians form the richest community of Indians in the United States outside of Oklahoma.

Mr. BAILEY. They may be, but when the white men are there long enough they will not be. That has been the history everywhere.

Mr. DIXON. The schools are for the white and the Indian children also.

Mr. BAILEY. But the white man is to have the benefit of the school for which the Indian pays. I am willing to see all they have taxed in common with everybody else in that community, and if it be true that they are richer than the others, then it would happen, as it ought to happen, that the richest men pay the highest tax, and they would contribute more, man for man, than their white neighbors, because they would pay according to their property, which is the proper basis of taxation.

Mr. DIXON. Let me say to the Senator from Texas, under this law, and every other act opening Indian reservations to settlement, the Indian land is not taxed for 25 years.

Mr. BAILEY. It will not be safe for the Senator to say that. They exempted it in the State of Oklahoma and now the State has levied a tax upon them, and I have recently been consulted by some of those who are contesting the tax which is now levied upon their allotments.

Mr. DIXON. I say to the Senator from Texas that—

Mr. BAILEY. So it is not safe to say they will not be taxed.

Mr. DIXON. Let me say to the Senator from Texas I do not know what the statute was in Oklahoma, but—

Mr. BAILEY. They originally took their allotments under a specific agreement that they should be exempt from taxation for a term of years.

Mr. DIXON. In this case the Government is withholding the fee-simple title for 25 years. You leave a whole county with nothing to assess for taxes, and consequently no way of raising money to run the public schools. It is a godsend to the Indians to do this.

Under the conditions which follow the opening of Indian lands to settlement it leaves the whole community with no taxable property, and this merely provides for taking 20 per cent of the moneys arising from the sale of two town sites to supplement the school funds of those communities.

Mr. BACON. Do they get part of the sixteenth and thirty-sixth sections?

Mr. DIXON. That goes to the general school fund of the State.

Mr. BACON. They participate in their part of it?

Mr. DIXON. They do whenever it is sold; but it may be 20 years before there is any sale of land. You are merely providing temporary means for carrying on public schools in those localities where there is nothing to tax.

Mr. BAILEY. Let us not take it out of the pockets of a fraction of the people of the State. South Dakota, I am sure, will be perfectly willing to educate her own children.

Mr. President, it is a poor tribute to the white race for us to say in Congress that the Indians must educate them.

Mr. GAMBLE. Mr. President, the proposition is this—

Mr. BAILEY. Let us strike this out.

Mr. GAMBLE. No; I think it is a very wise provision.

Mr. BAILEY. Is it wise to make the Indian bear the white man's burdens?

Mr. GAMBLE. Here is a town site, sold by lots. Purchasers come and buy—

Mr. BAILEY. Those lots will be taxable, will they not?

Mr. GAMBLE. They will be taxable. What are you going to do in the first instance?

Mr. BAILEY. Let the State of South Dakota provide for it.

Mr. GAMBLE. There is no provision made in regard to it. It will be at least a year or a year and a half or two years before they can be realized upon. Purchasers going there, knowing that there will be school buildings and accommodations for their children, will give 20 per cent.

Mr. DIXON. One hundred per cent more.

Mr. GAMBLE. Or 100 per cent more than the property would otherwise sell for.

Mr. BAILEY. It is the unearned increment, then, which you are after. These gentlemen feel that the influx of the white population is going to enhance the value of the Indians' land, and they proceed to take 20 per cent of it to educate their children.

Mr. President, that is not fair. I would not say it is not honest, because these Senators advocate it, and of course they would not advocate anything that they did not believe to be

both honest and fair, but they will pardon me for saying that it is not fair to take what belongs to the Indians and devote it to the education of the white children attracted there by the sale of the Indian property.

Mr. GAMBLE. The Indians participate in it.

Mr. BAILEY. I understand that they are furnishing the entire fund and only enjoying a participation in it.

Mr. GAMBLE. It is due to the energy of the white men who come in and develop the property, and with these inducements held out the property would sell for much more.

Mr. BAILEY. And by the energy of the white man he will not only develop his part, but he will take the Indian's part, too.

Mr. LODGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Massachusetts?

Mr. BACON. I do.

Mr. LODGE. I only desire to ask a question of the Senator from Texas. He said 20 per cent of the amount would be devoted to Indian education; I understood it to be for town improvements.

Mr. GAMBLE. No; to public schools—

Mr. LODGE. Sections 16 and 36.

Mr. GAMBLE. For the benefit of the communities.

Mr. BAILEY. But the difference between sections 16 and 36 is that the Government is there giving its own property, which it has a perfect right to do. Here it is giving the Indian's property, which it has no right to do.

Mr. GAMBLE. Mr. President—

Mr. BACON. I have the floor, and I desire to say one word.

The VICE PRESIDENT. The Senator from Georgia being entitled to the floor can say the one word.

Mr. BACON. The vital distinction between the enabling act and this law is that the enabling act set apart sections 16 and 36 for public-school purposes. This sets it apart not for public-school purposes only, but for the construction of schoolhouses, or public buildings, or other improvements in the town sites in which such lots are located; and the Senator from South Dakota went still further and included parks among the purposes to which one-fifth of the entire proceeds of these town-site lots should be devoted.

Mr. GAMBLE. It could be used for that purpose.

I might say in reply that this agreement and bill were submitted to the Indians upon the reservation and it was entirely satisfactory to them.

Mr. BACON. If the Senator will pardon me, one of the most common things I have listened to in the discussion on Indian affairs since I have been in the Senate, and in which I have not participated, has been the denunciation of contracts made with the Indians in which gross injustice has been done to them, where they were not exactly free agents when they made the agreements.

Mr. BAILEY. I want to supplement the distinction which the Senator from Georgia has made. I have pointed out already that a further distinction is that in the case of sections granted under the enabling act for educational purposes the Government was giving its own property; and here the Government is giving the Indians' property.

Mr. GAMBLE. It is a matter of very little consequence.

Mr. BAILEY. Then strike it out.

Mr. HEYBURN. Mr. President—

Mr. GAMBLE. It is a matter that has been recommended by the department. There are probably only two town sites covered. I believe it is a wise provision.

Mr. BAILEY. It is a bad thing to cheat the Indian when the price is worth the trouble. It is indefensible from every point of view to cheat him in a small matter.

Mr. HEYBURN. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Idaho?

Mr. BACON. I do.

Mr. HEYBURN. I want to call the Senator's attention to the fact that the suggestion that the Indians participating in the benefits of the schools provided to be established and maintained by this act has no foundation. The Indians do not live in towns, and it is not contemplated that they shall live in towns. They have taken their allotments in the country. The towns will afford the Indians neither comfort nor maintenance. So this proposition to appropriate 20 per cent for the maintenance of schools and other improvements in the towns is exclusive of the Indians. I will, with the permission of the Senate, say something in addition to that when I have the floor.

Mr. BACON. Mr. President, I have accomplished the purpose I had in view, which was to call the attention of the Senate to it in order that those who are more familiar with this

matter than I am may develop it. I think myself it is utterly and absolutely indefensible that we should take one-fifth of the choicest part of that which is to be put on the market, to wit, town sites, and take it away from the Indians when under the previous enactment with them we solemnly said they should have all except sections 16 and 36. That is all I desire to say.

Mr. HEYBURN. Mr. President, on a former occasion, when the garments were being divided, I suggested that in the interest of equity the Indian should have some fund or provision for the establishment and maintenance of schools that would be where they live, in the country. This bill strips the Indian of every possible opportunity of either establishing or maintaining public schools on the reservation. It takes away from them the sixteenth and thirty-sixth sections that are located in the immediate vicinity of the place where they are to live upon the allotments and sells them and puts the money in the Treasury, beyond the reach of the Indians. No allotment of land should be made to Indians, no reservation should be made, without providing for an adequate educational opportunity. These Indians number many thousands.

Mr. BACON. Mr. President, if the Senator will pardon me, before he resumes I want to call attention to another provision in the bill that had escaped me.

Mr. HEYBURN. Yes.

Mr. BACON. In fact, I had not had an opportunity to read the bill. In addition to the one-fifth of the proceeds of the sale of these lots there is this provision made, by which some of this additional part of the property will be taken from these Indians:

And he is—

That is, the Secretary of the Interior—
hereby authorized to set apart—

I will state first that there is a provision that he shall select such parts or areas of these public lands as he may deem proper for future towns, and so forth, set them apart, cause them to be surveyed in lots and blocks, and so forth. Then the bill provides:

And he is hereby authorized to set apart and reserve for school, park, and other public purposes not more than 10 acres in any town site, and patents shall be issued by the Secretary of the Interior for the lands so set apart and reserved for school, park, and other purposes to the municipality legally charged with the care and custody of lands donated for such purposes upon receiving satisfactory evidence that said towns have been duly incorporated.

In addition to having one-fifth of all the proceeds of the sale of the lots they are to have 10 acres of additional land. I think both those items ought to be stricken out.

Mr. GAMBLE. I will say to the Senator from Georgia that provision has already been made for the education of the Indians upon these reservations. Day schools are provided; teachers are employed; the different churches have separate schools which are maintained. This bill in no sense interferes with the existing law or the rights of these particular Indians. When the schoolhouses are built and schools maintained, the Indian children will have just as good a right to go to the common schools as the white children; and such is the practice in certain parts of my own State.

Mr. HEYBURN. I should like the Senator to point out the provision of law under which the common schools are maintained for the benefit of the Indians.

Mr. GAMBLE. I say that is the practice in our State, where schools are maintained on lands that theretofore belonged to the Indians.

Mr. HEYBURN. But the Senator uses the term "common schools."

Mr. GAMBLE. I am speaking of common schools on both the Sisseton and Yankton reservations. The Indians recently made protests against the construction of a central school at the Yankton Agency, which had been destroyed by fire, because they preferred to send their children to the public schools in the county.

Mr. HEYBURN. What was done with the protest?

Mr. GAMBLE. I think it was respected.

Mr. HEYBURN. Mr. President, this question has come under my notice throughout 30 years of close contact with these people; I have lived practically in the Indian country for that long, and I have had an opportunity of observing something in regard to this question of Indian education. In my own State Congress provided for the building of a beautiful structure, absolutely inappropriate to the purpose for which it was built. It cost, I think, some \$80,000, perhaps more. It takes the Indian children away from their homes; takes them from the daily contact with their parents and other members of their families. It clothes them better than they need or desire to be clothed; houses them better than they need or desire to

be housed, and perhaps feeds them better. I do not know about that; but I know that it utterly fails to accomplish the purpose of the common-school education that would be best adapted to the advancement of those children.

I have spoken here many times in favor of the abandonment of these expensive Indian schools and the substitution of the little red schoolhouse at convenient points in the Indian country. I know how they feel about it. They do not want their children to go away from them for months at a time and come back estranged, with new ideas, in the gathering of which they have not participated. They want their children educated conveniently to their homes, so that they will bring home every night with them that which they have been taught during the day, and that will build up an interchange of thought and idea in the Indian tepee or cabin or whatever the residence may be, so that they may all benefit by it; but when you send an Indian away and isolate him from the family, he begins to regard himself as somewhat superior to those who do not participate in his daily educational processes; he begins to look upon them as rather beneath him, and they begin to resent it. It works a feeling of resentment in the household.

I am not speaking without some facts to substantiate what I say. I am opposed to the centralization of the education of the Indian upon practical grounds. I would abolish every one of these expensive Indian schools that we have been building out of the Treasury, generally out of the Indians' money, against their wishes, not in conformity with their best interest. I would give them the benefit of that class of institutions upon which the civilization of the American people rests—the day school, convenient to the Indians.

Mr. GAMBLE. Mr. President, I would say to the Senator from Idaho that already over the reservation where these lands are to be opened there are day schools maintained and teachers provided, and in no sense will this bill in the slightest degree interfere with that, but those schools will be continued and maintained.

Mr. BAILEY. Indian schools?

Mr. GAMBLE. Indian schools, at least for the time, until development comes, and then the State, under its taxing power, will take up the proposition of the schools and provide and maintain them.

Mr. HEYBURN. Did I not know—

Mr. GAMBLE. I know in the county of Tripp, in what was formerly the Rosebud Reservation, which was opened to settlement only a few years since, this condition prevailed. I was in the county a year and a half ago. It was reported to me 63 new schoolhouses had been built by the local authorities, providing not only for the education of the white children, but for the education of the Indian children on the lands that were opened; and such conditions will exist in this reservation in a very short time.

Mr. HEYBURN. Now, let us not deceive ourselves. The Senator from South Dakota is speaking of the lands that were thrown open to settlement under the previous act and that have been settled upon by white people. The Senator sticks to that statement?

Mr. GAMBLE. I mean to say that on this very reservation there was a large number of Indian schools maintained—country schools.

Mr. HEYBURN. By whom?

Mr. GAMBLE. By the Interior Department, by the Government.

Mr. HEYBURN. I know about that.

Mr. President, the Senator from South Dakota is speaking of a very limited condition existing because of local conditions. I am speaking of a new condition that is proposed to be created by this act, and I am basing my suggestions upon the experience that we have had with the other reservations, except, perhaps, the one referred to by the Senator from South Dakota and one other, in which there has been a limited number of schools. This bill contains no provision adequate to meet the necessities for the education of either the Indians or the white people.

Mr. GAMBLE rose.

Mr. HEYBURN. Just a moment. The Indians have taken their allotments, and they are, in a large measure in this as in other cases, you might say, huddled together, for a convenient expression, for the Indians are clannish, as are many other nationalities, and where special providence in the nature of church organizations or charitable people combining have operated upon this community they may have been induced to establish a few schools; but I am speaking of the general condition upon the Indian reservations; and I have no hesitation in saying that this bill makes no adequate provision for either the education of the white people or of the Indians, because it

does not leave any room whatever for acquiring a fund to provide for education.

Mr. GAMBLE. Now, Mr. President—

Mr. HEYBURN. I should like—

Mr. GAMBLE. I wish to say a word right upon that very proposition. I spoke but a moment ago of the Rosebud Reservation and of Tripp County. When the lands were opened and the settlers went in and settled the county, the local laws of the State of South Dakota provided for the organization of a county government. When that is done, then the townships and the county take up the proposition, build and construct schoolhouses, and provide the benefits of the common school, not only for the white children, but for the Indian children.

Mr. HEYBURN. Now, Mr. President—

Mr. GAMBLE. Such, Mr. President, has been the case practically all over the western part of the State. These conditions will apply on these lands and in this locality the same as they have in other sections of the State.

Mr. HEYBURN. Mr. President, let us take the suggestions of the Senator from South Dakota and apply them to the provisions of this bill. The title to the land does not pass to the Indians so that the State or county could levy taxes upon either the Indians or the white people in it. The title to the white man under the provisions of this bill is held in suspense for five years. During that time it can not be taxed. There is nothing remaining to be taxed to support the education of either race until the end of five years, except it be an occupation tax, a license tax, or such minor taxes.

Mr. GAMBLE. Oh, no; the provision of the law is that within 14 months commutation can be had.

Mr. HEYBURN. I know; but that is a privilege and not a duty. They may commute or they may not.

Mr. GAMBLE rose.

Mr. HEYBURN. Now, just let me develop this idea. I will be brief about it and I know about it. We have in our State an Indian reservation, and I know the Indian reservations under consideration. I have been on them, and I know something about them.

These reservations are said to be thrown open. They are not thrown open at all. The Indians are allotted their lands, then the appraisalment takes place, which requires about two years, and then the lands are sold or are offered for sale by lottery, and the persons who buy them have a certain length of time to go upon them—that is, another year. It amounts to that. I am speaking from actual observation; I am speaking of the Indians of the Couer d'Alene Indian Reservation. Then these people settle down there free from taxation for any purpose by the State or county; and where is the fund to come from to provide for educational facilities, except—

Mr. GAMBLE. Mr. President—

Mr. HEYBURN. Just a moment—except this provision of 20 per cent to be taken from the Indian's money to educate, not the Indian's children, because he is out on his homestead, on his allotment, but to educate the white people that have come into the city. What for? To elevate the Indians? No; to trade with them, and to outtrade them, if they can. They are not only to expend this money of the Indians for building schools and for municipal improvements, but the Indian has no voice in it. Where does the fund come from? I will take the case of the Nez Perce Indian Reservation. There was the city of Nezperce, now a large and thriving place, which had to maintain its public schools for years by private subscription. There was no real estate that was taxable, and consequently there was very meager provision for education among those people. They have only recently obtained title to that land, so that there is taxable property. This bill does not contain any provision adequate to establish or maintain schools of any kind, whether they be graded schools or central schools or public schools, until after title has passed from the Government of the United States to the Indians or to the white men. I saw them there holding all sorts of social functions for the purpose of raising money enough to build a little schoolhouse. In a town in Idaho upon the Minidoka project we had the same thing. Suspended title is the bane of the people of this country. It affects their prosperity and retards their growth. There we had nothing but a little frame shack for several years, because nobody had title to the land; nobody had anything that could be taxed, and we maintained the schools there by personal subscription, although the people in the early stages of settlement upon the public domain are not as a rule in position to contribute to any purpose beyond the necessities of their own daily lives; they are not in a position to contribute to building schoolhouses; and the Government has made no adequate provision for schools, and the growth and settlement of the western country, whether it be upon the reclamation projects or upon the Indian reserva-

tions, has been retarded a generation in every instance where the Government has undertaken to deal with these people.

I speak for the little country schoolhouse. It is the foundation of our white civilization. It ought to be made the foundation of the civilization of the red man. It is an injustice to take a dollar from these people. As a matter of fact, they hold that land under a treaty with the United States. We are about entering upon the consideration of treaty relations with people beyond the sea. It is a pretty cold-blooded proposition to say that, because these Indians are not of sufficient strength or importance or consequence, we will deal with them without their consent or without their participation. That is the Indian situation. It is time that a sense of justice should be awakened in the people, so that these people, who were contemplated in the Constitution of the United States to be a separate nation, with all the rights of another nation, and so referred to, and their rights preserved under the Constitution of the United States—I say it is time that we should realize that they are not fit subjects for legislative brigandage.

Mr. President, I have always perhaps felt warmer than I should about this question, but I have seen Indian tribes suffer and freeze and starve and go unhoused in the winter simply because of the injustice and the ingratitude of our Government and those who represent it.

Mr. GRONNA. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from North Dakota?

Mr. HEYBURN. Yes.

Mr. GRONNA. Did I understand the Senator to say that this bill provides that sections 16 and 36 can be set aside?

Mr. HEYBURN. It provides that they shall be sold.

Mr. GRONNA. That was provided for in the enabling act.

Mr. HEYBURN. Well, I will not go back to the enabling act; I will not attempt to reflect upon the wisdom or the justice of those who created the States of North and South Dakota. We fought out the same class of questions in our own State. With us it was supposed that the sixteens and thirty-sixes belonged to the United States, whether within or without the reservation; but we came up against an unusual and unexpected situation: The title to the Indians was not the same in every case. For instance, the reservation to which I have referred in the State of Idaho was created by an Executive order, and another was created by a treaty with the Indians. In the Colville Reservation—

Mr. GRONNA. Mr. President—

Mr. HEYBURN. The Senator will pardon me a moment, because it is not a new question. I have been through the courts with it, and I know something of what the courts hold in regard to it. In the case of the Colville Indian Reservation, under whose jurisdiction our reservation rested for a long time, it had been created by an Executive order, and the question was as to the quality of title those people had.

Mr. GRONNA. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from North Dakota?

Mr. HEYBURN. Yes.

Mr. GRONNA. As I understand, the 20 per cent provision simply applies to the lands that are held for town purposes.

Mr. HEYBURN. I was not discussing that; I was discussing a larger phase of the question.

Mr. GRONNA. Yes; but, Mr. President, sections 16 and 36 now belong to the State under the enabling act, and I hardly think we can change that.

Mr. HEYBURN. That is a close question. It has been held to be a close question in this body and in the committees of this body as to whether or not sections 16 and 36 within Indian reservations were within the grants to the States or to the Territories which afterwards became States. As I have said, that is a close question. We differ about it. Perhaps the Senator and I might agree, but I know other Senators would differ, and the department has not been uniform in its holdings as to whether or not the sixteens and thirty-sixes passed to the States, subject to the Indian rights, and would become the property of the State absolutely when the Indian title was extinguished. It is not necessary to go into that question in discussing the educational features of this bill.

I should like to see all of these bills provide that a certain portion of the money paid to the Indians should be held as a sacred fund for the purpose of establishing and maintaining day schools upon Indian reservations. There is no necessity on earth in this hour for anything further or beyond day schools for the Indian. That is the place to educate him, where what he learns in the schoolhouse during the day goes home to be talked over at night. He will advance more rapidly in that way than by being sent to some great, beautiful palace of a

school for a year and then coming home to avoid or to squabble with other members of the household.

Mr. BACON. Mr. President—

Mr. HEYBURN. I have not finished.

Mr. BACON. Then I do not wish to interrupt the Senator.

Mr. HEYBURN. I may have said enough, but I have not said quite all I want to say.

Mr. BACON. I do not wish to interrupt the Senator.

Mr. HEYBURN. Mr. President, no dollar that is realized out of the sale of what belongs to the Indians should be used to the exclusion of the Indians by or on behalf of white people or their children. Why is this limitation that the fund may be used in the town where the town lots are sold? The people that go to a town will go there not as pioneers and settlers, but as people equipped to do business, presumably with a fund on hand. They can contribute for maintaining schools or building them, but the 20 per cent provision in the bill would provide a very large sum of money. It would constitute a fund the income from which would build and maintain public day schools upon the Indian reservations until the Indians themselves become civilized and able to maintain themselves.

Mr. GAMBLE. I wish, Mr. President, the Senator from Idaho would prove a true prophet and that that all would come true, but it would be a very insignificant amount at best. There will be only one or two or three—

Mr. HEYBURN. If the Senator will permit me, that would be very proper as a valedictory in the discussion of this question, but I prefer to develop the idea that I was pursuing for a moment—

The VICE PRESIDENT. The Senator from Idaho prefers not to yield.

Mr. HEYBURN. I realize that there is a spirit of doubt and skepticism as to what can be done with the Indians, and yet I have seen them advance to a standard equal with the whites. I can name Indians in the Nez Perce Reservation who are as well equipped to-day, because of having had school and educational facilities, as any man. I can name lawyers who practice at the bar and hold their own with the best; engineers who follow their profession and serve the Government when it needs service; I can name some of all the classes that are engaged in all the industries that other men pursue, but they are the exceptions. I am talking about a general educational uplift that shall give all the Indians an opportunity to receive what all of our race receive—the benefit of the public day schools. I want to emphasize that; I want to it to find a resting place in the minds not only of those who hear me, but of those who may read my remarks.

It is the day school we want for the Indian; and we ought to provide for establishing and maintaining it when there is the only opportunity for making it; and that is when their estate is being administered upon, and that is this hour.

We are administering upon the estate of a great tribe. I do not know the number in this tribe now, but I participated through the census in ascertaining the number of Indians in the Ogallala Sioux Tribe, the Red Cloud Sioux, and there were a little over 12,000 Indians. I think this tribe probably is not now so large. I think the Ogallalas were the largest of the nine Sioux tribes. But I do know that had these Indians in the days I knew them personally and was with them daily and a part of their daily life—a good bit more than 30 years ago—been given the opportunity that the children of our race are given in the public schools, the day schools, they would to-day no longer be wards of the Nation; they would be an independent, self-sustaining people.

So much for those Indians. There is a larger percentage of good men and good women among the Ogallala Sioux Indians than there is among any equal number of white people on the earth. Their code of morals is higher. I do not know where they get it. But I know they do not stand alone. There are other tribes. We generally find them judged by isolated cases of recklessness or ignorance which mark individuals. My heart and my sympathy are with those people, and I shiver when I see them thus stripped of that which they had before a white man stepped upon the shores of this country, stripped of it for the benefit of self-serving white men; and I will not see their lands taken and diverted for the use of white men—to their exclusion—without a protest.

Mr. BACON. Mr. President, there are only a few matters which I wish to call to the attention of the Senate and which I regard as worthy of the attention of the Senate.

I simply speak, in passing, of the suggestion made by the Senator from Montana that these lands would not be sold in fee, that the title would be held in suspense, and therefore there would be no opportunity to tax the property and from that taxation realize the funds necessary for the support of the

schools. I desire simply to call attention to the fact that in section 5 there is a distinct provision that those who desire to do so can commute their entries and pay the cash, so that if it is their desire to establish the schools they can easily take title to the land and thus find the means through taxation of the property.

Mr. GAMBLE. That would require a period of 14 months.

Mr. BACON. Very well. Here is the main thing I wish to call attention to, and it was the main matter in the discussion had in the last Congress. My recollection was somewhat indistinct, but it is brought back by the terms of this bill. I had an indistinct recollection that there was a provision in the bill by which the State of South Dakota was to profit very largely in money at the expense of the United States Government. But I did not recollect exactly what the provisions were. However, I now recall the point, and if I am in error of course the Senator from South Dakota will correct me.

We have heretofore been talking about an injustice to the Indians. Now we have something to consider as an injustice to the United States Government. The Senate will remember that I asked the Senator from South Dakota with reference to the exchange which this bill authorizes where any parts of section 16 or 36 have been allotted to Indians or the titles have in some other way been incumbered; such a claim as a squatter or anybody else could put in.

Mr. GAMBLE. A squatter would be absolutely prohibited.

Mr. BACON. Let me make my statement, and then the Senator can interrupt me if I am not correct. I asked the Senator from South Dakota what would be the case where any of these sections, sections 16 or 36, had its title or its possession in such condition that it would not be available by the State for the purposes contemplated in the enabling act; would it then be authorized to go and select, without any limitation, any other sections it might see proper to select, regardless of the value? The Senator replied "yes," but that it was under the control of the Secretary of the Interior; and further, that as sections 16 and 36, which may have been taken by other people, as it would naturally be the best, and would be taken for that reason, therefore the other sections selected could not be better than those, and it would not be necessary to put into the bill a provision that the lieu lands should not exceed in value sections 16 and 36, which had been taken.

That looked like a very simple proposition, where it was a question of the State taking the lands, although, as suggested by me, if the lands which the State had the opportunity to take could not be better than the State had lost for its public-school establishment in the loss of sections 16 and 36, there would be no harm to provide in this bill that the sections thus taken by the State should not be superior in value to such sections 16 and 36. But it is altogether a different thing when we come to consider the provisions of this bill.

Its provisions contemplate that the United States Government shall pay to the State of South Dakota the value of these lands. The bill says that sections 16 and 36 shall be paid for at the rate of \$2.50 an acre, but there is no provision that when the Government comes to pay for the land which the governor may select in lieu of sections 16 and 36 the Government shall be limited to the payment of \$2.50 an acre.

Mr. GAMBLE rose.

Mr. BACON. I hope the Senator will permit me to proceed. If he desires to answer me, I prefer he would wait until I am through. Of course, if he wants to correct me as to a fact, I will now submit to such a correction.

Mr. GAMBLE. Under a proper construction of the bill—

Mr. BACON. That is an answer.

Mr. GAMBLE. And in the States in the opening of many of these reservations, such has been the universal practice—

Mr. BACON. I have not stated in full the proposition, nor have I stated the grounds upon which I base the proposition.

There is a provision in this bill that these lands shall be appraised. The appraisement is not limited to \$2.50 an acre, but the lands are to be sold for what they are worth on the market. I do not know what lands in South Dakota may be worth, but judging from the value of similar lands in adjacent States, I should say that the rich prairie lands of South Dakota were valuable for agricultural purposes.

The bill goes on and provides that this substitution shall be made when any one of these sections, 16 or 36, shall have been lost—how? Either "by reason of allotment thereof to any Indian or Indians or otherwise." If that is not a broad and unlimited expression, I do not know what is. It covers squatter title and everything else.

Whenever section 16 or 36 has been lost to the State, the Government, according to this bill, will furnish—

Mr. CRAWFORD. Mr. President—

Mr. BACON. No; not now. I decline to yield until I finish the sentence.

The VICE PRESIDENT. The Senator from Georgia declines to yield.

Mr. BACON. I will not yield in the middle of a sentence. I will yield to the Senator when I get through. But I will have to repeat my sentence now in order that I may preserve the continuity of statement.

The provision is that whenever section 16 or 36 has been lost to the State, the Government shall pay to the State \$2.50 an acre, and then, where there has been a loss of section 16 or 36 to the State through allotment to Indians or otherwise, the governor of the State may select other sections in lieu thereof without limitation as to where they shall be located or the value, and there shall be paid for them by the United States Government to the State of South Dakota according to the valuation placed upon them, and the sum of \$180,000 is appropriated for that purpose.

Now I will yield to the Senator from South Dakota.

Mr. CRAWFORD. If the Senator will pardon me for a moment, I thought the Senator was conflicting the payment of this money to the Indians with the payment to the State.

Mr. BACON. No; I was not.

Mr. CRAWFORD. If the Senator will pardon me, the proceeds of the sale of these lands go to the Indians.

Mr. BACON. Yes.

Mr. CRAWFORD. None of it goes to the State.

Mr. BACON. I understand that. The mistake of the Senator illustrates the importance of his waiting until I made my statement before interrupting me. I was not upon any such line as that suggested by him. The provision I was speaking of is the one for the payment to the State. I will read it. I recollect now that it was the bone of contention heretofore. I recollect that there was a very large sum involved. I have not previously had an opportunity to read the bill. I have read it merely while the discussion was going on. I will read sections 6 and 9, which cover these two points:

SEC. 7. That sections 16 and 36 of the land in each township within the tract described in section 1 of this act shall not be subject to entry, but shall be reserved for the use of the common schools and paid for by the United States at \$2.50 per acre, and the same are hereby granted to the States of South Dakota and North Dakota, respectively, for such purpose—

Of course the Indians do not get that. The States of North and South Dakota get that—

and in case any of said sections or parts thereof are lost to either of the said States by reason of allotments thereof to any Indian or Indians or otherwise, the governor of each of said States, respectively, with the approval of the Secretary of the Interior, is hereby authorized, within the area described in section 1 of this act, to locate other lands not otherwise appropriated, which shall be paid for by the United States, as herein provided, in quantity equal to the loss, and such selections shall be made prior to the opening of such lands to settlement.

Howbeit—at \$2.50 an acre? It does not so state. Put it in the bill if that is the case.

Mr. GAMBLE. Put it in.

Mr. BACON. And then I will ask the Senator to see if it is true that \$187,000 is necessary for the payment of that land.

Mr. GAMBLE. The report shows the area of land, both in North Dakota and South Dakota, in sections 16 and 36, and it is computed upon that basis, and it aggregates \$180,000.

Mr. BACON. I will ask the Senator how many acres of land there are in the area specified? How many acres are included in sections 16 and 36?

Mr. GAMBLE. Divide \$180,000 by \$2.50 and you will get the product. I think it is stated in the report. It is computed in the report.

Mr. ROOT. Seventy-two thousand acres.

Mr. GAMBLE. About 72,000 acres.

Mr. BACON. The appropriation is in this language:

SEC. 9. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$180,000, or so much thereof as may be necessary, to pay for the lands granted to the States of South Dakota and North Dakota, as provided in section 7 of this act. And there is hereby appropriated the further sum of \$25,000, or so much thereof as may be necessary, for the purpose of making the appraisal and classification.

Now, it may be as the Senator says, that it does intend that it shall be \$2.50 an acre, but it does not say so. On the contrary, I should say that a legal construction would be that it should be paid for according to the appraisal, because it refers to the appraisal as herein provided, in speaking of the land.

Mr. GAMBLE. I will say to the Senator, if he will pardon me, that if he has any misapprehension or any question on that point, such an amendment as he suggests would be entirely acceptable.

Mr. BACON. I do not myself offer the amendment.

Mr. GAMBLE. But I might say that this same provision has been in a great many different bills opening reservations, and such has been the rule and the universal form.

Mr. BACON. I suggest to the Senator in charge of the bill whether it would not be a proper amendment to say absolutely that the price of the land to be paid for to the State by the United States should not exceed \$2.50 an acre.

Mr. GAMBLE. "To locate other land not otherwise appropriated, which shall be paid for by the United States, as herein provided, at \$2.50 an acre." Let that go in line 7—"not exceeding \$2.50 an acre."

Mr. BACON. That cures that evil, but it does not cure the devotion of one-fifth of the proceeds of the town lots to school purposes at the expense of the Indians.

Mr. GAMBLE. I think it a very wholesome provision. It simply tides over the condition temporarily, and it is a very minor matter. There are only two or three town sites, and some of the lots in those will not be sold.

Mr. BAILEY. Mr. President, petty larceny is just as objectionable as grand larceny, and if this does not belong to those people and does belong to the Indians the fact that it is a small matter will not excuse us for retaining it in this bill.

Mr. GAMBLE. The feeling of the department, which has had large experience in the sale of town lots, especially in Oklahoma, is that a provision of this kind would promote the sale and enhance the price of the lots sold and would temporarily tide it over.

Mr. BAILEY. Without having the Oklahoma act before me, I am of opinion that it contained no provision of that kind. The Senator remembers, of course, that it provided for the sale of town lots long before they opened that country to settlement and even before they allotted those lands in severalty. I was not on the committee having charge of the matter, and as I have never had special occasion to examine it, I challenge the Senator's statement with very great reluctance and not with any great confidence.

Mr. GAMBLE. I recall this in connection with these very matters: Information was received from the department as to the amount of money received from the sale of different town sites in our own State and also in Oklahoma, and there was, except a very limited number of them, a small amount realized.

Mr. BAILEY. Mr. President, if there is one chapter in our legislative history which a proud American citizen could read with less satisfaction than any other, it must be the one which recites the story of congressional dealings with the Indian Territory and the Indian lands in Oklahoma. I know myself of instances where men paid a mere pittance for lots under that act, and then, almost before the ink was dry upon the deed conveying them, they sold them for five and six times as much as they had paid the Indians. It was a clear theft, practiced upon a helpless and ignorant people, and I for one am heartily ashamed of that transaction.

Mr. HEYBURN. Mr. President—

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Idaho?

Mr. BAILEY. I do.

Mr. HEYBURN. I will say the point is clearly apparent in this bill that they are going to sell this land for many times what they pay the Indians, and I can say to the Senator that in a recent opening of a reservation in the Northwest the land brought more than six times as much to the white men as they paid the Indians for it.

Mr. BAILEY. Mr. President, I did not think that the country known as the Indian Territory ought to have been opened. I had a sentiment about it. Those people had gone there under what they believed to be the guaranty of the Government that they might inhabit it as a tribe, to follow the language of the grant, so long as the grass grows and the waters run. That obligation, I felt, ought to have been kept as sacredly as any engagement this Government had ever made. Indeed, I felt that I would be far more justified in breaking a treaty with a great and powerful nation than with those helpless and dependent people.

But after a certain number, and a large number, of white people had gone in there, if not encouraged by the Government to go at least permitted by it to go, it became apparent that the country could never be again controlled by the Indians, and it was an anomaly both in government and in civilization to see a large number of American citizens living without the protection of any form of government.

Under that condition, and compelled by it, I felt myself that it was just and sensible to sell those town lots and to permit the organization of municipalities there, so that obvious public duties might be discharged by the people living in that country.

But I never consented, I rejoice to say, that those lots should be taken from the people to whom they belonged at a small

fraction of their fair value. I do not, however, think the injustice in that case was aggravated by the further proposal to take one-fifth of all they brought and devote it to the education of the children of the men who had gone there to take from them their inheritance.

I do not know how often this provision has heretofore appeared in acts like this. The Senator from South Dakota, who is familiar with these matters, says it has frequently appeared. All that I have to say is that every time it did appear in such a measure was once too often. It may be generous to give what belongs to us, but it is not honest to give what belongs to other people. If the Government of the United States, opulent as it is, chooses to give the people of the Dakotas \$180,000 or \$1,800,000 without any equivalent, that may not be wise, but it would be perfectly honest, and we might take to ourselves the credit for being generous in such an act. But when we give to those people one farthing that does not belong to us, but belongs instead to a helpless, dependent people, it is not generous, it is not just. It is what if an individual were to do would fall within the denunciation of the criminal statute.

If the Senator from South Dakota or myself were guardians for these Indians, and, moved by a generous spirit, we would give 20 per cent of their lands to some who might come amongst them, when we came to account to the court for the manner in which we had performed our duty toward our wards we would be compelled to make restitution.

For my part, Mr. President, I can not consent to do as a legislator what I would not be permitted to do in the personal or legal capacity of a guardian for those people.

I hope the Senator will agree to strike out that provision. If he expects to provide that the United States shall pay out of its own Treasury an amount equal to that, that will raise another question about which we may differ, but at least the money is ours, and we have a right to do with it as we please. We can exercise over that the right of a proprietor, but here we can only exercise the right of a trustee.

I myself know how those Senators from that part of the country feel about the settlement of these Indian reservations. They are, as it were, almost a barrier, arresting the progress and civilization of those sections; and I have long since believed that we have reached the time when the Indian must stand with this civilization of ours or else he must fall before it. I hope that these Indians are ready to stand with it; and I am ready to destroy the local and peculiar character of that region and incorporate it into the body of the State, just as I assume these Indians by their allotments are to become citizens of the United States and of those States. But as we destroy this last vestige of a former civilization, which, with all its savage atrocity, yet had many delightful phases, let us not signalize it by an act of palpable injustice, or, to use a mild phrase, by a misappropriation of their money or their lands. Let us strike that out, and then I think the Senator from South Dakota will find nobody objecting to the passage of this bill.

The VICE PRESIDENT. The Secretary will report the amendment of the committee.

The SECRETARY. In section 3, on page 5, line 21, the committee proposes to strike out "twenty-five," before the words "per cent," and in lieu to insert "twenty," so as to make the section read:

SEC. 3. That before any of the land is disposed of, as hereinafter provided, and before the States of South Dakota and North Dakota, respectively, shall be permitted to select or locate any lands to which it may be entitled by reason of the loss of sections 16 or 36, or any portions thereof, by reason of allotments thereof to any Indian or Indians, the Secretary of the Interior is authorized to reserve from said lands such tracts for town-site purposes as in his opinion may be required for the future public interests, and he may cause same to be surveyed into lots and blocks and disposed of under such regulations as he may prescribe; and he is hereby authorized to set apart and reserve for school, park, and other public purposes not more than 10 acres in any town site, and patents shall be issued by the Secretary of the Interior for the lands so set apart and reserved for school, park, and other purposes to the municipality legally charged with the care and custody of lands donated for such purposes upon receiving satisfactory evidence that said towns have been duly incorporated. The purchase price of all town lots sold in town sites, as hereinafter provided, shall be paid at such time and in such installments as the Secretary of the Interior may direct, and he shall cause at least 20 per cent of the net proceeds arising from such sales to be set apart and expended under his direction in the construction of schoolhouses or other public buildings or improvements in the town sites in which such lots are located. The net proceeds derived from the sale of such lots and lands within the town sites as aforesaid shall be credited to the Indians as hereinafter provided.

The amendment was agreed to.

Mr. ROOT. Mr. President, I observe in the report a letter from the Department of the Interior, dated April 5, 1910, which recommends that a fixed price be set upon different classes of agricultural lands. That recommendation does not appear to have been adopted by the committee. I presume they had reasons which seemed good to them for not adopting it.

But we have been told here of very grave abuses in the sale of Indian lands, the purchase of their lands at a very low price to come to them or to their benefit, and the immediate sale of the same lands at a very high price to come to the purchaser. I suppose every one of those cases occur in the course of the execution of a law which was enacted by Congress in the belief that the rights of the Indians were protected.

It creates in me a desire to reconsider the policy which permitted those laws, to consider whether the form of the laws under which these abuses occurred could not be improved; and as the Secretary of the Interior has suggested the provision pointed directly to the price of the lands, I am led to inquire whether it would not be practical in the provision for an appraisalment of the lands to insert also a provision that they should be appraised at not less than a sum fixed for agricultural lands of the first class and another sum fixed for agricultural lands of the second class, and so on, so that, so far as we are concerned, we should do what is possible for us to prevent any very great abuse occurring at the hands of any appraiser who may take up the subject upon executive appointment.

Mr. BAILEY. If the Senator from New York will permit me just here, I will say that we made that mistake very honestly and in good faith, but for the very reason that we make so many similar mistakes. Congress seems to shrink from the task of fixing any definite rule for anything.

In the Oklahoma or in the Indian Territory town-site case they deliberately provided for the undervaluation of the lots, but they sought in a measure to remedy that injustice to the Indian by confining the privilege to people who had improved the lots, and they recognized the hardship that would grow out of Congress's inaction. Men had gone there and for years had bought those lots and settled those towns, although there was not the semblance of an authority in law for the purchase and sale of that property. But men had built houses two or three and in some places even four story buildings, that had cost \$25,000 and \$30,000, upon the lots to which they had no shadow of a legal title. Towns of five and six thousand people had grown up there; and Congress, recognizing that it had permitted those people to go there and to engage in the purchase and sale of those lots, sought in some measure to correct its own mistake.

But if the Senator from New York feels curious enough to follow that bad practice of establishing a general rule and then allowing all this latitude, he will find that it mars all of the legislation which we enact. Without having examined it specifically with any special view, I will venture to say that in the last six years in three-fourths of the offices we have authorized we have not fixed the salary; we have not even fixed the number in many instances; but we have authorized certain officers of the department and heads of departments to designate men and fix their salaries, and in other instances we have authorized the President to do it. That bad practice grows out of the fact that Congress seems averse to the task of making definite rules of action.

I want to excuse Congress in some measure for that kind of misconduct. It is largely attributable to the fact that all we do here is done in a hurry; all we do in the committees is done in a hurry, because the American Congress has more to do than any body of men on earth can do and do it right. When we get through with our correspondence and go to our committees we have so little time there to perfect our legislation that we come in with a bill of this kind and but one member of the committee comes to enlighten us about it. I do not criticize the other members of the committee, although I really feel that the Senate is entitled to the judgment of every man on each committee when a matter of any importance comes to this body.

It is impossible for men to do all that we have to do, and that is how it happens that the courts are continually kept guessing what we mean by our legislation; we legislate in such a hurry. We come from our desks to the committee room, and where we ought to spend two and three hours upon a measure we spend a third of that time. We bring it into the Senate not even expressed in language which does credit to our vocabulary. I think I am safe in saying that the legislation of no enlightened body in the world is quite so awkwardly expressed as our own; and it is due almost entirely to the fact that we are overworked. Yet we are continually adding to our work. With a children's bureau bill and an infinite variety of legislation that ought never to have found its way into the American Congress, day after day we are adding to our already impossible task.

If the Senator from New York sits here as long as I hope he will, unless a Democrat will succeed him, and the right kind of a Democrat at that, he will experience a very much better reason for the complaint that he has just made. It is a com-

plaint that has risen to the lips of every man who has served for any length in this body, although we have not always taken the trouble to express it.

Mr. ROOT. Mr. President, I am heartily in agreement with what the Senator from Texas has just said. I think that instead of endeavoring to take upon the Government of the United States new duties which are not thrown upon us by necessity we should endeavor to do better the things that we have already become bound to do.

As to this particular matter, it is one regarding which I know very little, but I would like to know whether in this bill we are doing anything more than was done in the legislation which made possible the atrocious outrages which have been mentioned by Senators upon this floor to-day. What is there in this bill that will prevent the very same thing from being done again?

Mr. GAMBLE. Mr. President, this bill in its main provisions is substantially the same as other bills covering the same subject matter. I speak simply from the information and knowledge I have in opening reservations in my own State in regard to the prices fixed on the lands. A commission is appointed, and the appraisements have been fair, and in some cases I think the appraisal of the land has been too high. If the settlers were going upon desirable lands, all opened to white people who go in and cooperate with him in upbuilding that particular community, that is one proposition, Mr. President. But here the settler goes into a community where maybe one-quarter, one-third, one-half, or perhaps three-fourths of the lands in that particular township are taken by Indians, and their lands are relieved from taxation for a period of 25 years. Schools are to be provided. And I will say to the distinguished Senator from Idaho [Mr. HAYBURN] that South Dakota has always been most solicitous as to the education of its children, white or red. In the percentage of illiteracy she stands within a slight fraction of possessing the smallest illiteracy of any of the States in the Union.

If highways are to be built, if township organizations and county organizations are to be maintained, these settlers bear the burdens independently of the Indians. If corruption, if wrongdoing have been prevalent, as far as the settler is concerned it has not come under my observation in the opening of lands in my State under the provisions of acts of practically the same identical character.

As far as fixing a set price for the lands, that is highly improper and inequitable, in my judgment. With intelligent, competent appraisers, who personally go on and value the lands, their appraisal being subject to review by the Secretary of the Interior, it seems to me it is the wise and the safe provision to follow.

The VICE PRESIDENT. If there are no further amendments to be offered to the bill as in Committee of the Whole, it will be reported to the Senate.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. BACON. I ask for a vote on the passage of the bill.

The VICE PRESIDENT. The question is on the passage of the bill. [Putting the question.] The yeas appear to have it.

Mr. GAMBLE. I ask for a roll call.

The VICE PRESIDENT. The Senator from South Dakota asks for the yeas and nays on the passage of the bill.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. In his absence I withhold my vote. If he were present, I should vote "yea."

Mr. BRYAN (when Mr. FLETCHER's name was called). My colleague [Mr. FLETCHER] is necessarily absent from the Senate this afternoon on public business.

Mr. GUGGENHEIM (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. PAYNTER], who is unavoidably detained from the Senate to-day. I therefore withhold my vote.

Mr. OVERMAN (when the name of Mr. JOHNSTON of Alabama was called). I am requested to announce that the Senator from Alabama [Mr. JOHNSTON] is unavoidably detained.

Mr. OLIVER (when his name was called). I have a general pair with the junior Senator from Oregon [Mr. CHAMBERLAIN]. I do not know how he would vote. If he were present, I should vote "yea."

Mr. SIMMONS (when his name was called). I am paired with the junior Senator from Minnesota [Mr. CLAPP]. If he were present and I were at liberty to vote, I should vote "nay."

Mr. WARREN (when his name was called). I have a general pair with the senior Senator from Louisiana [Mr. FOSTER], and therefore withhold my vote.

Mr. CHILTON (when Mr. WATSON's name was called). My colleague [Mr. WATSON] is necessarily absent from the session of the Senate on official business. He is paired with the senior Senator from New Jersey [Mr. BRIGGS].

Mr. WILLIAMS (when his name was called). I am paired with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the senior Senator from Arkansas [Mr. CLARKE] and vote. I vote "nay."

The roll call was concluded.

Mr. DU PONT. I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. As he is not present I withhold my vote.

Mr. POINDEXTER. I desire to state that my colleague [Mr. JONES] is unavoidably absent on public business.

Mr. GALLINGER. My colleague [Mr. BURNHAM] is paired with the Senator from Maryland [Mr. SMITH].

Mr. SIMMONS. I transfer my pair with the junior Senator from Minnesota [Mr. CLAPP] to the Senator from Indiana [Mr. KERN] and vote. I vote "nay."

Mr. SHIVELY. I desire to say that my colleague [Mr. KERN] is unavoidably detained from the Senate on official business.

Mr. OLIVER. I transfer my pair with the junior Senator from Oregon [Mr. CHAMBERLAIN] to the junior Senator from Illinois [Mr. LORIMER] and will vote. I vote "yea."

Mr. RAYNER. My colleague [Mr. SMITH of Maryland] is paired with the junior Senator from New Hampshire [Mr. BURNHAM]. My colleague is unavoidably absent.

Mr. GAMBLE (after having voted in the affirmative). Mr. President, I ask leave to change my vote from "yea" to "nay."

The VICE PRESIDENT. The Senator from South Dakota changes his vote.

Mr. CLARK of Wyoming. I have a general pair with the senior Senator from Missouri [Mr. STONE]. I transfer that pair to the Senator from Massachusetts [Mr. CRANE] and vote. I vote "yea."

The result was announced—yeas 17, nays 30; as follows:

YEAS—17.			
Bourne	Crawford	Martine, N. J.	Richardson
Brandegge	Cummins	Myers	Smoot
Brown	Dixon	Nelson	
Burton	Gronna	Nixon	
Clark, Wyo.	McLean	Oliver	
NAYS—30.			
Bacon	Gardner	Page	Simmons
Bailey	Heyburn	Perkins	Smith, Ga.
Borah	Hitchcock	Poinexter	Smith, S. C.
Bristow	Johnson, Me.	Pomerene	Swanson
Bryan	Lodge	Rayner	Thornton
Chilton	Martin, Va.	Reed	Williams
Gallinger	O'Gorman	Root	
Gamble	Overman	Shively	
NOT VOTING—44.			
Bankhead	Davis	La Follette	Smith, Mich.
Bradley	Dillingham	Lea	Stephenson
Briggs	du Pont	Lippitt	Stone
Burnham	Fletcher	Lorimer	Sutherland
Chamberlain	Foster	McCumber	Taylor
Clapp	Gore	Newlands	Tillman
Clarke, Ark.	Guggenheim	Owen	Townsend
Crane	Johnston, Ala.	Paynter	Warren
Culbertson	Jones	Penrose	Watson
Cullom	Kenyon	Percy	Wetmore
Curtis	Kern	Smith, Md.	Works

So the Senate refused to pass the bill.

Mr. GAMBLE. I give notice of a motion to reconsider the vote by which the bill was defeated.

The VICE PRESIDENT. The Senator from South Dakota enters a motion to reconsider the vote by which the bill failed to pass.

PROTECTION OF UNITED STATES COINS.

Mr. GALLINGER. I move that the Senate proceed to the consideration of executive business.

Mr. SWANSON. Mr. President, will the Senator yield to me for a moment?

Mr. GALLINGER. I yield to the Senator.

Mr. SWANSON. I ask unanimous consent for the present consideration of the bill (S. 4651) to amend section 171 of the penal laws of the United States approved March 4, 1909.

The Secretary read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to amend section 171 of the penal laws of the United States, approved March 4, 1909, so as to read as follows:

SEC. 171. Whoever within the United States or any place subject to the jurisdiction thereof shall make, or cause or procure to be made, or shall bring therein from any foreign country, or shall have in possession with intent to sell, give away, or in any other manner use the same, any business or professional card, notice, placard, token, device,

print, or impression, or any other thing whatsoever, in the likeness or similitude as to design, color, or the inscription thereon of any of the coins of the United States or of any foreign country that have been or hereafter may be issued as money, either under the authority of the United States or under the authority of any foreign Government, shall be fined not more than \$100. But nothing in this section shall be construed to forbid or prevent the printing and publishing of illustrations of coins and medals or the making of the necessary plates for the same to be used in illustrating numismatic and historical books and journals and school arithmetics and the circulars of legitimate publishers and dealers in the same.

Mr. LODGE. Mr. President, may I ask just what the amendment of the law is that is proposed?

Mr. SWANSON. I will state very succinctly. Under the present law it is impossible to have any impressions, prints, tokens, or devices of the coins of the United States in school arithmetics. You can have them in journals and circulars issued by anybody who sells coins and in historical works and other publications, but you can not have them in school arithmetics, where the value of coins is taught. There is a publishing company—

Mr. LODGE. That is the only amendment of the law?

Mr. SWANSON. That is the only amendment. It simply inserts "school arithmetics." There is now a publishing company that has issued many thousand books that will be affected by the amendment of the law.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. GALLINGER. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 4 o'clock and 48 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 30, 1912, at 2 o'clock p. m.

NOMINATIONS.

Executive nominations received by the Senate January 29, 1912.

ASSISTANT COLLECTOR OF CUSTOMS.

William H. Turnbull, of New Jersey, to be assistant collector of customs for the port of Camden, N. J., in the district of Philadelphia, in the State of Pennsylvania, in place of Frank F. Patterson, deceased.

UNITED STATES ATTORNEY.

Sherman T. McPherson, of Ohio, to be United States attorney, southern district of Ohio. (A reappointment, his term having expired.)

PROMOTION IN THE ARMY.

COAST ARTILLERY CORPS.

Second Lieut. Ralph C. Harrison, Coast Artillery Corps, to be first lieutenant from January 24, 1912, vice First Lieut. Chester H. Loop, dismissed January 23, 1912.

APPOINTMENT IN THE ARMY.

COAST ARTILLERY CORPS.

Harold De Forest Burdick, of Kansas, ensign, United States Navy, to be second lieutenant in the Coast Artillery Corps, with rank from December 19, 1911.

POSTMASTERS.

CALIFORNIA.

John Ainscough to be postmaster at Banning, Cal., in place of John Ainscough. Incumbent's commission expired January 9, 1912.

Charles E. Bauer to be postmaster at Courtland, Cal. Office became presidential January 1, 1912.

COLORADO.

Jennie Ross to be postmaster at Cheyenne Wells, Colo., in place of Jennie Ross. Incumbent's commission expires February 10, 1912.

CONNECTICUT.

W. Franklin Sheldon to be postmaster at Moosup, Conn., in place of William H. Kenyon. Incumbent's commission expires February 3, 1912.

C. Leon Wilcox to be postmaster at Windsor Locks, Conn., in place of Alfred W. Converse, deceased.

ILLINOIS.

William A. Collins to be postmaster at Western Springs, Ill., in place of William A. Collins. Incumbent's commission expired January 29, 1912.

Theodore A. Fritchey to be postmaster at Olney, Ill., in place of Theodore A. Fritchey. Incumbent's commission expired January 28, 1911.

G. Gale Gilbert to be postmaster at Mount Vernon, Ill., in place of G. Gale Gilbert. Incumbent's commission expired February 27, 1910.

Samuel R. Thomas to be postmaster at Oblong, Ill., in place of Samuel R. Thomas. Incumbent's commission expired December 11, 1911.

INDIANA.

Harry C. Linkhart to be postmaster at Hobart, Ind., in place of Harry C. Linkhart. Incumbent's commission expired January 20, 1912.

IOWA.

Ulysses G. Mauk to be postmaster at Tabor, Iowa, in place of Ulysses G. Mauk. Incumbent's commission expired December 9, 1911.

H. E. Wyatt to be postmaster at Rockford, Iowa, in place of H. E. Wyatt. Incumbent's commission expires February 4, 1912.

KANSAS.

William H. Bondurant to be postmaster at Ness City, Kans., in place of William H. Bondurant. Incumbent's commission expired December 9, 1911.

Ida L. Cason to be postmaster at Lakin, Kans., in place of Ida L. Cason. Incumbent's commission expired December 11, 1911.

Zelma P. Jackson to be postmaster at Coldwater, Kans., in place of Zelma P. Jackson. Incumbent's commission expired January 9, 1912.

William A. Morgan to be postmaster at Lansing, Kans., in place of William A. Morgan. Incumbent's commission expires February 12, 1912.

MAINE.

Gerry A. Proctor to be postmaster at Rangeley, Me., in place of Gerry A. Proctor. Incumbent's commission expired December 11, 1911.

MASSACHUSETTS.

Lillian R. Alexander to be postmaster at Northfield, Mass., in place of Charles H. Webster. Incumbent's commission expired December 18, 1911.

MICHIGAN.

Frank N. Green to be postmaster at Olivet, Mich., in place of Frank N. Green. Incumbent's commission expired December 11, 1911.

Neal McMillan to be postmaster at Rockford, Mich., in place of Clara Spore, deceased.

Gerrit Van Schehen to be postmaster at Holland, Mich., in place of Gerrit Van Schehen. Incumbent's commission expired December 11, 1911.

William P. Stiles to be postmaster at Coopersville, Mich., in place of William P. Stiles. Incumbent's commission expired December 18, 1911.

Samuel L. Willits to be postmaster at Remus, Mich., in place of Samuel L. Willits. Incumbent's commission expired January 23, 1912.

MONTANA.

Mary L. Boehnert to be postmaster at Glasgow, Mont., in place of Mary L. Boehnert. Incumbent's commission expires February 19, 1912.

George E. Bolster to be postmaster at Plentywood, Mont. Office became presidential January 1, 1912.

NEW MEXICO.

Henry Rankin to be postmaster at Elida, N. Mex., in place of Henry Rankin. Incumbent's commission expires February 17, 1912.

NEW YORK.

Fernando H. Reeves to be postmaster at Brownville, N. Y., in place of Mary A. Booth. Incumbent's commission expired December 10, 1911.

Ulysses G. Sprague to be postmaster at Prince Bay, N. Y., in place of Ulysses G. Sprague. Incumbent's commission expires February 19, 1912.

NORTH DAKOTA.

Edmund K. Cavileer to be postmaster at Pembina, N. Dak., in place of Edmund K. Cavileer. Incumbent's commission expires February 4, 1912.

OKLAHOMA.

Maud C. White to be postmaster at Quinton, Okla. Office became presidential January 1, 1912.

PENNSYLVANIA.

Otto E. Enders to be postmaster at Elizabethville, Pa., in place of Otto E. Enders. Incumbent's commission expires February 11, 1912.

Daniel W. Reynolds to be postmaster at Reedsville, Pa., in place of Daniel W. Reynolds. Incumbent's commission expired January 20, 1912.

Laura Wood Weaver to be postmaster at Republic, Pa., in place of Charles D. Weaver, deceased.

SOUTH CAROLINA.

Emma J. Peeples to be postmaster at Hampton, S. C., in place of Eugene M. Peeples, resigned.

SOUTH DAKOTA.

Napoleon M. Bratton to be postmaster at Newell, S. Dak. Office became presidential January 1, 1912.

Alonzo E. Roop to be postmaster at Salem, S. Dak., in place of Alonzo E. Roop. Incumbent's commission expired January 27, 1912.

UTAH.

Orrice F. McShane to be postmaster at Beaver, Utah, in place of Orrice F. McShane. Incumbent's commission expires February 4, 1912.

WISCONSIN.

Oscar C. Olman to be postmaster at Princeton, Wis., in place of Frank Tucker. Incumbent's commission expired January 27, 1912.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 29, 1912.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

Lieut. Col. Thomas Ridgway to be colonel.
Maj. Morris K. Barroll to be lieutenant colonel.
Capt. George A. Nugent to be major.
First Lieut. Harry L. Morse to be captain.
Second Lieut. Thomas J. Cecil to be first lieutenant.

SIGNAL CORPS.

Lieut. Col. George P. Scriven to be colonel.
Maj. Frank Greene to be lieutenant colonel.
Capt. Carl F. Hartmann to be major.

INFANTRY ARM.

First Lieut. Walter Harvey to be captain.
Second Lieut. Donald J. McLachlan to be first lieutenant.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants.

Fred Warren Bailey.
Byron Clary Darling.
Charles Edwin Donlan.
Elmer Moses Eckard.
Charles Lincoln Furbush.
Abram Barnes Hoce.
William Albert Jolley.
Harvey Augustine Kelly.
Clarence Wilbur Leigh.
William Henry Maley.
Herman Lewis Neitert.
Eryl Smith Peterson.
Walter Augustine Wells.
Charles Whelan.
Arthur Frank Wilhelmy.
Henry McClure Young.

COAST ARTILLERY CORPS.

John Park Leavenworth to be second lieutenant.
John William Quillian, late midshipman, United States Navy, to be second lieutenant.

POSTMASTERS.

IDAHO.

Christopher O. Dice, Glens Ferry.

IOWA.

W. W. Artherholt, Primghar.
Emma T. Loes, Cascade.

KANSAS.

George L. Robinson, Paola.
Charles F. Schafer, Jewell.

KENTUCKY.

Henry O. Hausgen, Anchorage.
Edwin Flye Poage, Ashland.

MAINE.

Charles H. Innes, Saco.

MICHIGAN.

Charles E. Woodhull, Kinde.

MINNESOTA.

Clarendon B. Boody, North St. Paul.
E. E. Lane, Sherburn.
Matthew Ristinen, Menahga.

MONTANA.

Andrew Logan, Missoula.
Jay E. Wilson, Ekalaka.

NEVADA.

John A. Rogers, Winnemucca.
Henry S. Starrett, Battle Mountain.

NEW JERSEY.

William H. Beatty, Alpha.
Richard Watt, Garwood.

NEW MEXICO.

May Crawford, Mesilla Park.
Arthur J. Matheny, Melrose.

NEW YORK.

Sarah H. Banks, Cornwall Landing.
Charles A. Beeman, Depew.
Delano D. Cottrell, North Cohocton.
Lucius R. Doty, Catskill.
Hans C. Hansen, Fishers Island.
Charles T. Knight, Monroe.
William McCarthy, Mineola.
Frederick W. Muller, Valley Stream.
Samuel H. Parsons, East Hampton.
William H. Prangen, Hornell.
Harvie D. Waite, Berlin.
John G. Ward, Cambridge.
Henry P. Wilcox, Cohocton.
Peter H. Zimmerman, Wayland.

NORTH DAKOTA.

Reinhart Gilbertson, Glenburn.
William G. Mitchell, Minto.
Charles N. Murphy, Neche.

PENNSYLVANIA.

Alfred E. Williams, Plymouth.

SOUTH DAKOTA.

Martin V. Olsen, Viborg.

HOUSE OF REPRESENTATIVES.

MONDAY, January 29, 1912.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, possess us, we beseech Thee, with Thy spirit, that our minds may be illumined and our hearts quickened to the broader views of life and its far-reaching purposes; that we may widen the sphere of our activities through every legitimate channel and thus add somewhat to the sum of human happiness and develop the God that is in us until we all come unto the measure of the stature of the fullness of Christ. For Thine is the kingdom, and the power, and the glory, forever. Amen.

The Journal of the proceedings of Saturday, January 27, 1912, was read and approved.

CHANGE OF REFERENCE.

By unanimous consent, the reference of a letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting supplemental estimates of appropriations required by the War Department for military posts and barracks and quarters for the fiscal year ending June 30, 1913 (H. Doc. No. 482), was changed from the Committee on Military Affairs to the Committee on Appropriations.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. REES, for one week, on account of illness.
To Mr. HANNA, for 10 days, on account of important business.
To Mr. NEEDHAM, for 2 days, on account of sickness.
To Mr. SLEMP, for 10 days, on account of illness in his family.

ARMY APPROPRIATION BILL.

Mr. HAY, from the Committee on Military Affairs, reported a bill (H. R. 18956) making appropriations for the support of the Army for the fiscal year ending June 30, 1913, which was read a first and second time and, with the accompanying re-

port (No. 270), referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Illinois [Mr. MANN] reserves all points of order on the bill.

AGRICULTURE APPROPRIATION BILL.

Mr. LAMB, from the Committee on Agriculture, reported a bill (H. R. 18960) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1913, which was read a first and second time and, with the accompanying report (No. 271), referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

THE METAL SCHEDULE.

Mr. UNDERWOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 18642.

The SPEAKER. The gentleman from Alabama moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 18642, to revise the metal schedule. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 18642, to revise the metal schedule, with Mr. FLOYD of Arkansas in the chair.

Mr. UNDERWOOD. Mr. Chairman, when the committee rose on Saturday night I took the gentleman from Ohio off his feet in the midst of his speech. I should like to ask him how much time he now desires.

Mr. LONGWORTH. I should like to have 10 minutes.

Mr. UNDERWOOD. I ask unanimous consent that the gentleman from Ohio may proceed for 10 minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the gentleman from Ohio [Mr. LONGWORTH] may proceed for 10 minutes. Is there objection?

There was no objection.

Mr. LONGWORTH. Mr. Chairman, unlike the gentleman from Massachusetts [Mr. GILLETTE], who has recently addressed us, I am not fortified by an excellent dinner and have, therefore, no intention of unduly prolonging this debate. I however feel it my duty to say a word on this subject.

If there was any reason for the placing of any of these articles contained in this paragraph upon the free list, it does not apply to machine tools. If it is possible that cash registers and articles of that sort have a monopoly, either through patents or otherwise, and that that is the reason for placing them on the free list, the argument does not apply to machine tools. It is a great industry, Mr. Chairman, in this country, and it is an industry concerning which there never has been the suggestion of a monopoly. On the contrary, the competition throughout that industry is fierce—as fierce as in any industry. It is greatly diversified. It employs thousands upon thousands of American citizens as workmen. It has an enormous amount of capital invested in it, and it is all working capital.

And yet in this bill the entire finished product of this industry is placed upon the free list, at the same time retaining the duties upon every intermediate product that goes into it. That is not logic, Mr. Chairman. It is indefensible from any point of view or from any theory. It will be no argument to say, as some gentlemen may, that there is a negligible importation into this country of machine tools and that there is a large exportation from this country. The machine-tool industry bears now a reasonable protection. Unlike many other manufacturers, the makers of machine tools appeared before the Ways and Means Committee three years ago and consented that the present duty be reduced from 45 to 30 per cent. They now have 30 per cent, and if they are able to exist and export largely it is because they have a reasonable protection upon their finished products. Whether it is said on that side of the House or not, Mr. Chairman, that they do not need protection, I prefer to listen to those men themselves. I have in my pocket a large number of telegrams which I have received upon this subject, all saying that the placing of machine tools on the free list will ruin the industry. These telegrams are as follows:

CINCINNATI, OHIO, January 28, 1912.

Hon. NICHOLAS LONGWORTH,
House of Representatives, Washington, D. C.:

The Business Men's Club of Cincinnati remonstrates against the contemplated passage by Congress of the so-called steel schedule. Its passage would work an irreparable injury to the machine-tool industry of Cincinnati. Action should be deferred until a careful and scientific

investigation of the subject is made. A delegation is en route to personally enter a vigorous protest. Business conditions do not warrant trying experiments at this time.

CHAS. A. HINSCH,
Vice President and Acting President.

CINCINNATI, OHIO, January 28, 1912.

Hon. NICHOLAS LONGWORTH,
House of Representatives, Washington, D. C.:

We protest against placing of machine tools on free list, as proposed in Palmer bill, coming before the House Monday, as a serious blow to one of the principal industries of our city. Cincinnati delegation en route to Washington with facts and figures to sustain protest. Any revision should be only after a scientific investigation of the difference in cost here and abroad. We urge your opposition to this provision.

THE CINCINNATI COMMERCIAL ASSOCIATION,
DAVID C. JONES,
Chairman Industrial Committee.
CARL DEHONEY,
Secretary and Manager.

CINCINNATI, OHIO, January 27, 1912.

Hon. NICHOLAS LONGWORTH, M. C.,
Washington, D. C.:

Please wire what steps we can take to effectively enter protest against reduction of tariff on machine tools, included in steel bill. Passing this bill will ruin the machine-tool business in Cincinnati and the country in general; also reduce wages and cause wholesale discharge of employees.

CINCINNATI BICKFORD TOOL CO.

CINCINNATI, OHIO, January 27, 1912.

Hon. NICHOLAS LONGWORTH, M. C.,
House of Representatives, Washington, D. C.:

DEAR SIR: We desire to enter our protest against the passage by Congress of the measure placing machine tools on the free list and ask that you use your influence to defeat same, thereby reserving for manufacturers the opportunity of making reasonable profits and for their employees reasonable compensation.

WILLARD MACHINE & TOOL CO.,
G. A. WILLARD, President.

CINCINNATI, OHIO, January 27, 1912.

Hon. NICHOLAS LONGWORTH, M. C.,
House of Representatives, Washington, D. C.:

Rumored here that new steel tariff schedule introduced this week places machine tools on free list. This would be an unquestioned catastrophe to this industry, of which Cincinnati is headquarters. Please wire quick, our expense, what duty is proposed by new bill on machine tools. Now protected 30 per cent by Payne law. Forward quick copy of proposed bill. What practical method should machine-tool industry pursue to present facts in protest?

GREAVES, KUSTMAN & CO.

CINCINNATI, OHIO, January 27, 1912.

Hon. NICHOLAS LONGWORTH,
136 M Street, Washington, D. C.:

Passage steel Schedule C will seriously imperil machinery-tool industry, now none too profitable; lower wages. The workman must follow. We protest earnestly against it.

CINCINNATI SHAPER CO.

CINCINNATI, OHIO, January 27, 1912.

Hon. NICHOLAS LONGWORTH,
Congressman, Washington, D. C.:

We are astounded to learn that a bill will be presented in the House of Representatives on next Monday proposing to remove the duty on machine tools. Under the present duty machine tools are being imported to German houses in New York, namely, Schuchardt & Schutte and Alfred H. Schutte, doing an increasing business. Labor cost is far greater than material cost in the building of most machine tools. Consequently, with broadened market and much lower wage rate, both England and Germany would make great inroads on our trade. Both our domestic and foreign trade would suffer. We consider such a proposition disastrous, and earnestly ask your influence for its delay pending impartial consideration of facts.

AMERICAN TOOL WORKS.

CINCINNATI, OHIO, January 28, 1912.

NICHOLAS LONGWORTH,
Washington, D. C.:

We hereby protest against the passage of new steel schedule putting machine tools on free list. Machine-tool manufacturers and our members would be disastrously affected. Machine-tool manufacturers our largest customers. Comparative cost in this country and abroad should be carefully investigated before any change is made.

CINCINNATI FOUNDRY ASSOCIATION.

CINCINNATI, OHIO, January 28, 1912.

NICHOLAS LONGWORTH,
House of Representatives, Washington, D. C.:

Cincinnati Metal Trades Association, composed of 100 manufacturers, employing 20,000 men, protest against the passage new steel schedule placing machine tools on free list. Cincinnati manufacturers en route and should be given opportunity to present better a careful and scientific investigation of the cost of the manufacture of machine tools abroad and at home. Will so propose. Schedule disastrous to machine-tool builders; it is one of our largest industries.

HENRY RITTER, President.

CINCINNATI, OHIO, January 28, 1912.

NICHOLAS LONGWORTH,
Congressman, Washington, D. C.:

If Congress passes bill taking duty off machine tools our business will suffer and wages and mechanics will fall in order to meet foreign competition. Cincinnati is the largest machine-tool manufacturing city

In the world and this city will suffer seriously; action should be postponed until scientific investigations would show whether a reduction is justifiable. Wages in Europe permit them to undersell us and produce machines cheaper than we can, and cost investigation of the production will prove that present tariff is low enough.

JOHN STEPTOE SHAPER CO.

CINCINNATI, OHIO, January 29, 1912.

HON. NICHOLAS LONGWORTH,

Washington, D. C.:

We protest against placing machine tools on free list as proposed in Palmer bill. We urge that you oppose this provision of bill.

SMITH & MILLS.

CINCINNATI, OHIO, January 29, 1912.

NICHOLAS LONGWORTH,

Washington, D. C.:

All American machine-tool manufacturers certainly oppose new steel bill as it now reads. By including machine tools in this bill you are not fighting trusts but taking the livelihood from 15,000 men in this city alone. Suggest thorough investigation first of costs here and abroad. Kindly keep us informed.

CINCINNATI LATHE & TOOL CO.

CINCINNATI, OHIO, January 29, 1912.

Congressman NICHOLAS LONGWORTH,

House of Representatives, Washington, D. C.:

We seriously protest against putting machine tools on free list; will ruin all export trade and jeopardize the entire industry.

THE HISEY WOLF MACHINE CO.

CINCINNATI, OHIO, January 28, 1912.

NICHOLAS LONGWORTH,

House of Representatives, Washington, D. C.:

Chamber of Commerce urges no hasty action on tariff on machine tools. Cincinnati, largest tool-manufacturing center in world, would be seriously affected by any sudden disarrangement of business conditions in that line. Labor is largest percentage of cost of products. This and other peculiarities of business makes special treatment after careful inquiries desirable. Urge delay until Cincinnati manufacturers now en route to Washington have opportunity of presenting machine-tool builders' argument.

CINCINNATI CHAMBER OF COMMERCE,
WALTER A. DRAPER, President.

CINCINNATI, OHIO, January 28, 1912.

HON. NICK LONGWORTH, Washington, D. C.:

Our club is desirous of protecting the reasonable interests of our manufacturers, and especially solicitous to safeguard the present good wages of our skilled labor. Therefore we hope it is consistent with your views and intentions to ask you to oppose the features of the new steel tariff calling for immediate reductions on machinery and all such goods so largely manufactured here. Our protest is against any action without most careful investigation of comparative cost, environments here and abroad. Your compliance and cooperation will be sincerely appreciated.

THE MANUFACTURERS' CLUB OF CINCINNATI,
W. F. ROBERTSON, President.

I am willing to believe those gentlemen, Mr. Chairman, rather than the alleged tariff experts upon the other side of the aisle.

Now, Mr. Chairman, among other things that are contained in these telegrams, are inquiries addressed to me as to how effective protest can be made against and prevent the passage of this legislation. Even if these gentlemen were in time, they could not effectively protest against the passage of this legislation, because no opportunity was given to them or to any others to protest; and my sole advice to these men and to all men who desire the protection of American industry and of American labor is to turn out the majority of this House and vote in the Republican Party. [Applause on the Republican side.]

Mr. Chairman, as the gentleman from Alabama stated, I was taken from my feet on Saturday night—and very properly, as Sunday was approaching—while I was discussing the amendment that I had offered to take machine tools from the free list in this bill. I desire now to restate, as briefly as possible, the grounds upon which I think my amendment ought to prevail.

In the first place, I think that the Committee on Ways and Means, or, rather, the majority of the Committee on Ways and Means, for we of the minority were not consulted, acted through mistake of the facts in including machine tools in the free list. As I understand it, the ground for placing the completely finished product of any such industry upon the free list is or ought to be that it is a highly patented article or else that it is a monopoly. If there may be some excuse for cash registers, typesetting machines, sewing machines, and other articles of that sort which are protected by patents and which in some cases may be monopolies being placed upon the free list, no such excuse can lie for the placing of machine tools upon the free list. If there is an industry in this country in which there is competition, and keen competition, it is in the production of machine tools. In my own State alone there are nearly 50 different concerns making machine tools. There are over 12,000 American workmen in Ohio employed in making machine tools. There is nearly \$15,000,000 worth of capital in Ohio invested in making machine tools. Yet in the making of a so-called revenue tariff we take here an industry and place upon

the free list the finished product of that industry, while we leave a duty upon every single material that goes into that industry. Of course, it will probably be said here that this industry exports largely. It is true that it does export largely. It is true also that the imports are relatively small. Yet is it any reason because an American industry, employing American labor, is able to export its product and to do business with the nations of the world why it should be penalized forsooth and its product placed upon the free list? Is it the object of this legislation to put a penalty upon success? I am proud of the fact that the machine-tool industry, under the reasonable protection it now enjoys of only 30 per cent, is able not only to do business in this country, but in other countries, and I see no reason why the men who have invested their capital in this industry and the workmen who earn American wages in that industry should be placed in free competition with all the world. [Applause on the Republican side.] Viewed from any standpoint except that of absolute free trade, there can be no theory upon which you can put the finished product of an American industry on the free list leaving a duty on all intermediate materials, for even from the free trader's point of view you must put upon the free list every article that goes into that industry. This is indefensible upon any theory that can be advanced. In fact, the whole proceeding under which we are now acting is, in my judgment, indefensible.

If legislation means deliberate consideration, then this is not legislation. It is legislation by ukase, and the czar who issues that ukase is none other than the gentleman from Alabama [Mr. UNDERWOOD]. We have heard much talk about czars in this House. The gentleman from Illinois [Mr. CANNON], the former Speaker, was called a czar. Why, Mr. Chairman, in so far as his control over his party in this House was concerned, he was a child compared to the gentleman from Alabama now. [Laughter.] As an amalgamator of opposing opinions, as a trainer and master of discordant and ordinarily utterly unmanageable elements, the renowned Prof. Hagenbeck is a child compared to the gentleman from Alabama. The gentleman from Alabama [Mr. UNDERWOOD] knows my estimate of his abilities. On a previous occasion I stated in his presence what I thought of his ability as a leader. I stated then and I state now that the Democracy has not produced in years a parliamentary leader comparable with the gentleman from Alabama. [Applause.] I said then that when he pipes his colleagues dance [laughter], and from their complacent countenances as I see them now they seem glad to dance. I will go further upon this occasion and say that when he pipes they not only dance but they lie down, roll over, and play dead. [Laughter.]

Now, I appeal to Caesar. I appeal to no one but Caesar himself, for it would be waste of breath. I ask him to undo this wrong, this wrong upon the American business man, this wrong upon the American workingman, that he has done them in this bill, and I trust that he will uplift his finger and permit my just amendment to be adopted. [Applause on the Republican side.]

Mr. UNDERWOOD. Mr. Chairman, the reason that the Ways and Means Committee has placed this item on the free list is this: Two years or more ago, before the bill came before the House, when it was being investigated by the Ways and Means Committee, the Department of the Interior sent certain experts abroad to investigate the iron and steel business and the machinery business. A report was made at that time, which is now printed and on the files of the Ways and Means Committee, showing that machine tools made by American manufacturers were being exported in large quantities and sold in every country in Europe. They were sold not only in every country in Europe on equal competition with foreign manufactures, but in a great many countries of Europe, like Germany, and the American machine tool had to pay an adverse tariff rate before it was introduced into the competitive market.

More than that, it had to pay a high-class freight rate to get into that competitive market. It is not a commodity that can be shipped as ballast at a low freight rate, but it paid a high-class freight rate to go into the competitive markets of the world.

Now, the figures I had before me led me to believe that \$100,000,000 worth of machine tools were made in the United States. But I have had a talk recently with a gentleman, who is in the business himself, and he says that is an overestimate; that there is only about \$50,000,000 of machine tools made in the United States. The figures that are before me show that the amount of exports of these machine tools, as shown by the Treasurer's report, amount to at least \$8,000,000 or \$10,000,000. The gentleman to whom I have referred, and who is opposed to

this item, states that that amount is too great; that their exports only amount to about \$5,000,000.

Mr. TILSON. Will the gentleman yield?

Mr. UNDERWOOD. I ask the gentleman not to interrupt me now. But take the case not on the basis of the figures of the Treasury Department, not on the basis of the experts that have heretofore investigated the matter, but on the statement of the gentlemen engaged in the business, and the total production is \$50,000,000 and the exports amount to \$5,000,000, or one-tenth of the total production in this country. These machine tools, as I have said heretofore, are being exported into the countries of Europe, where an adverse tariff is charged before they can come into the competitive market.

Now, the imports for the year 1910 amounted to only \$177,000 and the imports last year were \$191,000.

So here is a great industry, a very meritorious industry, a successful industry, that is going into the markets of the world, competing with its rivals abroad, no imports coming in here practically, and, in the judgment of the committee, there would be no imports coming in here to amount to anything if this item is left on the free list. Therefore, under these circumstances, your committee felt that they were justified in putting these items on the free list, because we did not see where we could get a reasonable revenue by putting even a very low tax on these items. Now, Mr. Chairman, I desire to close this bill this morning, and I move to close debate on this item.

Mr. FULLER. I trust the gentleman will not insist on that at the present time. I want five minutes.

Mr. UNDERWOOD. Does the gentleman desire to speak upon this paragraph?

Mr. FULLER. Yes; on this amendment only.

Mr. STEENERSON. I will say, Mr. Chairman, that I have an amendment to offer to this section.

Mr. MANN. I have several amendments.

Mr. SLOAN. I would like five minutes.

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent that all debate on this paragraph be closed in 30 minutes, 20 minutes to be controlled by the gentleman from Illinois [Mr. MANN] and 10 minutes by myself.

Mr. MANN. I hope the gentleman will not make that request yet.

Mr. STEENERSON. There will be several amendments offered to this section.

Mr. UNDERWOOD. I do not want to cut off amendments.

Mr. LONGWORTH. I suggest that we dispose of this amendment first.

Mr. UNDERWOOD. I understood that there were gentlemen on that side who desired to speak to this amendment.

Mr. FULLER. Mr. Chairman, I desire to speak to this amendment, and I desire also to offer another amendment to the paragraph.

Mr. JACKSON. Mr. Chairman, it seems to me, in view of the fact that we spent all day Saturday on this matter, and that most of us were prevented from speaking at that time, that we ought not to be buried now at the expense of a matter of 20 or 30 minutes. I would like to say a few words upon the bill. It will not detain the gentleman more than 20 or 30 minutes.

Mr. UNDERWOOD. Mr. Chairman, I will say to the gentleman from Kansas that I must insist upon cutting out debate on the bill upon other items. I am willing to consent to this paragraph being debated. That is the reason I want a limit to the debate. In order that the gentleman from Illinois [Mr. MANN] may have full opportunity for his side, I am willing to ask unanimous consent that debate on this paragraph run for 40 minutes, and all amendments offered to it may be considered as pending until the 40 minutes are out, 30 minutes of that time to be controlled by the gentleman from Illinois [Mr. MANN] and 10 minutes by myself.

Mr. MANN. Mr. Chairman, I suggest to the gentleman from Alabama that he has the power undoubtedly at any time to close debate. Why not let this run along to see whether proper debate is offered on the paragraph? This is a very important paragraph in the bill, covering a number of different items.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that debate on this paragraph be closed in 40 minutes, 30 minutes of the time to be controlled by the gentleman from Illinois [Mr. MANN] and 10 minutes of the time to be controlled by the gentleman from Alabama [Mr. UNDERWOOD], and that all amendments to the paragraph may be read and considered pending. Is there objection?

Mr. MANN. Mr. Chairman, I shall have to object to that.

The CHAIRMAN. The gentleman from Illinois objects.

Mr. UNDERWOOD. Mr. Chairman, I move that all debate now close on the pending amendment offered by the gentleman from Ohio [Mr. LONGWORTH].

The CHAIRMAN. The question is on the motion of the gentleman from Alabama, that all debate be now closed on the pending amendment offered by the gentleman from Ohio [Mr. LONGWORTH].

Mr. FULLER. Mr. Chairman, I hope that motion will not prevail.

Mr. UNDERWOOD. Mr. Chairman, the gentleman from Illinois [Mr. FULLER] said he had an amendment of his own. I intend to let the gentleman speak on his own amendment.

Mr. FULLER. I wish also to speak on this amendment.

Mr. UNDERWOOD. On the amendment offered by the gentleman from Ohio [Mr. LONGWORTH] or on his own?

Mr. FULLER. On this amendment I desire to speak.

Mr. UNDERWOOD. Then I misunderstood the gentleman. I ask unanimous consent that all debate on this amendment close in five minutes and that the gentleman from Illinois [Mr. FULLER] may be heard during those five minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on the pending amendment close within five minutes and that the gentleman from Illinois [Mr. FULLER] occupy those five minutes. Is there objection?

There was no objection, and it was so ordered.

Mr. FULLER. Mr. Chairman, in view of the fact that no hearings were had before the Committee on Ways and Means, and in view of the further fact that in my district there is a great manufacturing city where machine tools are made by something like a dozen different firms and corporations, where several thousand men are employed in that particular industry, whose employment and wages are threatened by this bill, I desire to present to the House very briefly some of the views which I have received this morning by telegraph from parties interested in the industry in the city of Rockford, Ill. I have this morning received the following telegrams upon that particular subject:

ROCKFORD, ILL., January 28, 1912.

HON. CHARLES E. FULLER,
Washington, D. C.:

We understand new steel bill will place machine tools on free list. Should this be done, foreign competition will cause revolutionary business disturbance and result in large reduction of wages. We urge you to use your influence to defer action on bill until careful investigation may be made on home and foreign cost conditions.

INGERSOLL MILLING MACHINE CO.

ROCKFORD, ILL., January 28, 1912.

Representative FULLER,
Washington, D. C.:

Steel tariff should have further consideration, for it includes machinery which can not stand free tariff and uphold present wages. Investigation will show profits extremely modest and not commensurate with capital involved.

W. F. & JNO. BARNES CO.

ROCKFORD, ILL., January 28, 1912.

HON. CHAS. E. FULLER,
Washington, D. C.:

Understand adoption of new steel bill will place machine tools on the free list. We respectfully ask that you use your influence against its passage.

ROCKFORD MACHINE TOOL CO.

ROCKFORD, ILL., January 28, 1912.

HON. CHAS. E. FULLER,
Washington, D. C.:

Steel bill reducing duties and putting machinery on the free list is ill considered and pernicious, and should be voted down. When matter comes up to-morrow in House, hope you will vote against it.

ROCKFORD DRILLING MACHINE CO.

ROCKFORD, ILL., January 29, 1912.

CHAS. E. FULLER,
Representative, Washington, D. C.:

Use your undivided efforts to defer action of steel bill. Disastrous to machine-tool builders.

ROCKFORD LATHE & DRILL CO.

ROCKFORD, ILL., January 29, 1912.

Representative CHAS. E. FULLER,
Washington, D. C.:

We urge you to defer action on the steel bill, as in its present form it would be disastrous to machine-tool builders.

MECHANICS MACHINE CO.,
LEVIN FAUST, Secretary.

ROCKFORD, ILL., January 29, 1912.

Representative C. E. FULLER,
Washington, D. C.:

Kindly defer steel bill in its present form, as it would ruin machine-tool trade.

ROCKFORD MILLING MACHINE CO.,
HUCO L. OLSON, Secretary.

ROCKFORD, ILL., January 29, 1912.

Representative CHAS. E. FULLER,
Washington, D. C.:

Kindly defer steel bill in its present form, as it would ruin the machine-tool trade.

ROCKFORD TOOL CO.,
SWAN S. ANDERSON, Manufacturer.

Here is another which has also been handed to me:

NASHUA, N. H., January 29, 1912.

Hon. C. A. SULLOWAY,
House of Representatives, Washington, D. C.:

Understand new steel bill places machine tools on free list. If duty removed, serious foreign importation certain, resulting in competition that could not be met even by extreme reduction in wages. Kindly withhold your support, at least until investigation can be made.

FLATHER & CO.
MARK FLATHER PLANNER CO.
E. J. FLATHER MANUFACTURING CO.

Here is another telegram from Bridgeport, Conn.—

Mr. MOORE of Pennsylvania. Mr. Chairman, a point of order. I notice that while these telegrams indicating that American manufacturers—

The CHAIRMAN. What is the gentleman's point of order?

Mr. MOORE of Pennsylvania. I am going to make it. While these telegrams indicating that American manufacturers are in danger are being read, the committee is not in order.

The CHAIRMAN. The committee will be in order.

Mr. FULLER (reading):

BRIDGEPORT, CONN., January 28, 1912.

Congressman JOHN Q. TILSON, Washington, D. C.:

The adoption of the steel bill, placing machine tools on the free list, would be a serious menace to the machine-tool industry. American machine tools have been copied in foreign countries and enormous works are producing them in large quantities. They are being sold in those countries at prices much below our cost of production, and it is their practice to make low prices for export, which would mean that this country would be used as a dumping ground. We ask your earnest efforts to protect us.

THE BULLARD MACHINE TOOL CO.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FULLER. I hope the interruption has not been taken out of my time.

Mr. MOORE of Pennsylvania. Will the gentleman read this telegram?

The CHAIRMAN. The time of the gentleman has expired. All time on this amendment has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent that one more telegram may be read.

Mr. UNDERWOOD. Mr. Chairman, I ask that it be printed in the RECORD as part of the gentleman's remarks.

Mr. FULLER. It will take but a moment, if the gentleman will allow me—

Mr. UNDERWOOD. Mr. Chairman, I will not object if the gentleman desires to put it in the RECORD. I have no objection to that.

Mr. FULLER. I will do that, but regret that I can not have time to discuss this important matter.

The matter inserted is as follows:

PHILADELPHIA, PA., January 29, 1912.

Hon. J. HAMPTON MOORE,
United States House of Representatives, Washington, D. C.:

Understand new steel bill places machine tool builders on free list. If duty removed, serious foreign importations certain, as most machine tool builders for last five years have been operating at a loss. If duty is removed, will necessitate large reduction in wages. Think action should be deferred until careful and scientific investigation of cost conditions here and abroad can be made.

NEWTON MACHINE TOOL WORKS,
H. W. CHAMPIAN, President.

SPRINGFIELD, MASS., January 29, 1912.

Hon. FREDK. H. GILLET,
House of Representatives, Washington, D. C.:

Am advised that new steel bill places machine tools on free list. We strongly protest against such measure. See letter.

BAUSCH MACH. TOOL CO.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Ohio.

The question was taken, and the Chair announced the yeas seemed to have it.

Mr. AUSTIN, Mr. FULLER, and several MEMBERS. Division!

Mr. LONGWORTH. Mr. Chairman, to save time, I ask for tellers.

Tellers were ordered.

The committee divided; and the tellers (Mr. LONGWORTH and Mr. UNDERWOOD) reported that there were—yeas 72, yeas 136.

So the amendment was rejected.

Mr. FULLER. Mr. Chairman, I move to amend the paragraph by striking out the words "sewing machines."

The CHAIRMAN. The gentleman from Illinois offers an amendment which the Clerk will report.

The Clerk read as follows:

Amend paragraph 73, line 7, by striking out the words "sewing machines."

Mr. FULLER. Mr. Chairman, in offering this amendment to strike sewing machines from the free list, I do so for the reason that, in my opinion, if there is any one thing in this entire bill

that ought not to be placed on the free list it is sewing machines. Under the Dingley Tariff Act sewing machines and sewing-machine parts were made dutiable at 45 per cent ad valorem. With that protective duty, which I concede was almost prohibitive so far as foreign competition was concerned, a great industry was built up in this country, and factories for the manufacture of sewing machines were established in many towns and cities, and the competition which ensued resulted in reducing the price of sewing machines very much below the prices at which they ever before had been sold. All experience which we have had in this country has demonstrated the fact that a protective tariff high enough to give the home market to home manufacturers has resulted universally in creating such competition as to reduce instead of enhancing prices to the consumer. For instance, you can buy to-day a better sewing machine for \$10 or \$12 than you could buy 50 years ago for \$75 or \$100. Under the Payne Tariff Act, which greatly reduced the duties all along the line, no matter what may be said to the contrary, the tariff on sewing machines and sewing-machine parts was reduced 50 per cent and the duty thereon fixed at 30 per cent ad valorem. The industry had grown until such reduction, in my opinion, was justified, but under this bill it is proposed to place these articles on the free list and give free competition with all the world. If it is the desire of Congress to do the greatest favor possible to the Sewing Machine Trust and the greatest injury possible to the smaller and independent concerns now competing with the Sewing Machine Trust, then this provision may well be retained in the bill. You will hear no objection to it whatever from the Singer Sewing Machine Co., which, it is said, manufactures 80 per cent of the world's product of sewing machines, and which has, besides its numerous factories in this country, one of the greatest sewing-machine plants in the world at or near Glasgow, Scotland, another in Canada, and possibly others in different parts of the world. Placing sewing machines on the free list would benefit that company and aid still further in consolidating the business in its hands, but it would work irreparable injury, if not absolute ruin, to the smaller independent concerns now competing with it.

If this amendment prevails and sewing machines are stricken from the free list, it would leave them dutiable at 25 per cent ad valorem under the "basket clause" of the bill. The only people in the world who could be benefited by the placing of sewing machines on the free list would be the Sewing Machine Trust, or the Singer Sewing Machine Co., because they could then have the different parts of their machines manufactured in their factories abroad by the cheapest labor obtainable in the world and ship those parts into this country, to be assembled here and sold here to the American people, and thus very probably drive out of business every independent sewing-machine factory in the land and incidentally turn out of employment thousands upon thousands of the employees of these independent factories who are now receiving higher wages than such labor commands in any other country in the world. If it did not do this it would certainly compel a reduction of wages to the employees in these independent factories to the level of wages paid in other countries. There are two such independent sewing-machine factories in the district which I have the honor to represent. These companies are not connected in any way with any trust. They are independent concerns competing with the trust, and competition in this industry is severe and the profit extremely low. Let me say, because that question has been raised as to other gentlemen defending other interests, that I have no personal or financial interest whatever in any company manufacturing sewing machines, but as an American citizen I am interested in seeing that no wrong is done to any of the industries of my district or of this country, and that no favoritism shall be shown to foreign manufacturers or to foreign laboring men over those of our own country. Every gentleman knows, or should know, that these independent factories, which have been built up under the Republican doctrine of protection, have been instrumental not in increasing prices because of the protection afforded, but in creating home competition, and thereby greatly reducing prices. Some gentleman has said that the price of sewing machines was exorbitant and that great dividends have been paid. This may be true as to the so-called trust, the Singer Sewing Machine Co., but it is not true of the smaller independent concerns for which I am speaking.

I know from personal knowledge that the National Sewing Machine Co., which is the principal industry in the city in which I live, and the Illinois Sewing Machine Co., of Rockford, Ill., have never made exorbitant profits, have never been able to pay dividends which afforded more than a fair return on the capital invested; and I know they do not ask or obtain exorbitant prices for the machines they manufacture. I think I may truthfully say they have been the means, with other like

concerns, of greatly reducing the cost of sewing machines. The National Sewing Machine Co. has a capacity of 1,000 sewing machines a day. They are not sold by agents, such as the Singer Sewing Machine Co. has all over the country, on payments of a few cents a week or a dollar a month. There is in the city of Chicago a great mercantile concern dealing in all kinds of merchandise (Montgomery Ward & Co.), who sell only to the consumer at retail. In sewing machines they deal exclusively in those manufactured by the National Sewing Machine Co. at Belvidere, Ill. I have their catalogue, from which I find that they sell a very good sewing machine, warranted for five years, for \$8.75. They sell another machine, called a "High-arm model," with drophead and a complete set of nickel-plated attachments, seven drawers, ball bearing, and warranted for 10 years, at \$11.95. They have other models which are finer pieces of furniture, and possibly with some additional improvements, selling at \$14.50, \$15.85, \$16.95, \$17.40, \$18.75, \$19.95, \$20.75, \$22.95, and as fine a sewing machine as was ever made in the world, with all attachments, for \$25.50, which is the highest price quoted. Gentlemen may talk about it being necessary to pay \$40 or \$60 or \$75 for a sewing machine. That is not the case, as I can demonstrate to anyone interested. There is another great mercantile concern in the city of Chicago dealing in all kinds of merchandise and, among other things, sewing machines, and that is Sears, Roebuck & Co. I do not understand that they handle any of the machines made in my town, but think they handle a machine made by an independent sewing-machine factory at Dayton, Ohio, and possibly others. They quote prices of these machines—one at \$8.45, guaranteed for five years; one at \$9.85, guaranteed for 20 years; and others at \$12.95, \$14.20, \$17.25, \$18.75, and the highest at \$23.70. These prices are retail prices taken from the catalogues of these merchants.

If placing sewing machines on the free list should, as I think it would, result in consolidating the business in the hands of the trust, it would not be long until the people would realize that the destruction of competition at home by driving out of business the independent factories would result only in increasing prices to the consumer rather than in lowering such prices. Mr. Chairman, I was surprised the other day to hear a gentleman on this side of the House say that, in his opinion, there was no man or no industry in his district that would be injured by the passage of this bill. I think he was mistaken, and that his view is entirely too narrow. I remember of hearing a few years ago a political speech by the greatest living American, Theodore Roosevelt [applause], upon the text that "We all go up together or we all go down together." And that is true. We are interdependent. Prosperity, when it comes, affects all in greater or less degree. Adversity, when it comes, strikes the high and the low and is felt in every industry and in every section of the country. If men in my district are turned out of employment, if they are no longer able to secure employment and remunerative wages, they can not buy the products produced in the district of the gentleman from Iowa [Mr. HUBBARD]. I wonder if he is prepared to say that no man and no industry in his district was injured by the last tariff act which the Democratic Party placed upon the statute books of this Nation. I had supposed that every industry and every section of the Nation was affected, and affected injuriously, by the Wilson-Gorman Tariff Act while it was the law of the land. Most of us remember those days of business depression—closed factories and idle men. Idle not from choice, but because there was no work to do and no prosperous industries to furnish employment and pay living wages. Some factories were able to run half time or to pay half wages, but even such were the exception to the general rule. Three millions or more of honest laboring men were out of employment, looking for work and unable to find it. Coxey's army was tramping down the grass all the way from the district of the gentleman from Iowa to the Capitol Grounds in Washington; and in the great cities all over the land men were living at free soup houses because of the universal depression in all lines of industry which then prevailed. I wonder if anyone in the district of the gentleman from Iowa was injured then! If I remember correctly, the farmers of my district and of his district were glad to get one-half the prices or less than one-half what they now get for the products of the soil.

Mr. HOBSON. Will the gentleman yield?

The CHAIRMAN. Will the gentleman from Illinois yield to the gentleman from Alabama?

Mr. FULLER. No; I decline to yield. If we could have time to discuss this matter, I should be glad to yield to the gentleman or to anyone on that side of the House. As my time is limited, I can not do so.

Mr. Chairman and gentlemen of the committee, the industries of this country and all through the Middle West, everywhere,

have been built up under the protective policy of the Republican Party. That policy is the same to-day that it has always been in the past. If the Republican Party is wrong now as to that policy, then it has always been wrong. If the Democratic Party is right now in its policy of free trade, revenue tariff, and destruction of American industries, then it has always been right. Men may change, but the policies of the two great parties upon this question have not changed and can not change. The Republican Party stands for the policy of protection to American industries and to American labor to-day as it has always stood. This policy of protection was the policy of Abraham Lincoln, of James G. Blaine, of William McKinley, and of all the great leaders of the Republican Party in the past. [Applause on the Republican side.]

Mr. Chairman, I am not a standpatter nor a standstill. I do not advocate that there should be no change in tariff schedules. I believe in progress and reform. I believe that as conditions change tariff schedules sometimes become too high and sometimes too low and should from time to time be changed to meet existing conditions; but they should not be changed, and the business interests of the country unduly disturbed, except on accurate knowledge and scientific principles, so that a reasonable degree of protection should be maintained and no injury done to any American industry. I believe in America for Americans. I believe in giving the American manufacturer, the American business man, the American farmer, and the American wage earner a preference over every other country on earth. It is not claimed by the Democratic sponsors for this bill that it is a protective measure at all or that it is intended to afford any protection to any industry. Certainly, as to these items proposed to be placed upon the free list, that is absolute, pure, unadulterated free trade, for the benefit of the foreigner only, and which, in my judgment, can not possibly benefit any American citizen or any American industry, unless it is the great trusts and combinations, which need no protection.

Mr. Chairman, I am firmly convinced that the attempt on the part of the Democratic majority in this House to pass this bill, which I believe to be in the interests of the foreigner and of the trusts and large combinations and against the interests of the people, is purely a political play, intended to fool the people and to catch votes. If all gentlemen would vote their honest convictions, it could never pass, and the industries of the country might rest secure. Under the pretense of striking at the trusts, at the "malefactors of great wealth," as they have been called, let us not strike down and destroy the smaller but no less important industries that under the Republican policy of protection have been built up in almost every town and hamlet in the land. The trusts, the "malefactors of great wealth," do not need protection. They can take care of themselves. The little factories that now flourish all over the land do need protection, and can not live and compete with the trusts and with foreign cheap labor without it. They furnish the mouths to be fed by the farmers and create the best home market on earth. They are the salvation of the Nation against the rapacity of the trusts. Do not strike them down, as you propose to do by this bill. I appeal to you, my Democratic brethren, and to you, my Progressive Republican friends on this side, think well before you act, look well before you leap. On the result of this tariff controversy in the American Congress depends our future welfare and prosperity and the welfare, the stability, and the greatness of our American Republic. The questions we vote on to-day are greater than the political future of any man or any party. They are fraught with far-reaching results to the prosperity and welfare of the American people. We have grown great and powerful and prosperous as a Nation by reason of our policy of protection to all American industries, and the toil of the laborer has been rewarded more than in any other land under the shining sun. Let us consider conditions rather than theories; let us cease to play politics for the votes of the unthinking, and as patriots who love our country and its institutions do fearlessly and intelligently our duties as the representatives of a great people, and if we do that we will defeat this bill and every attempt to turn us on the beaten path that has led us up until we have become the greatest Nation on earth.

We took the tariff off from hides and placed them on the free list, depriving the farmer and the stock raiser of that protection. It was loudly proclaimed that that would make cheaper shoes for the people. Has anyone bought shoes any cheaper since that was done? We reduced the tariff on lumber in the interest of the consumer. Has anyone noted the reduction in the price of lumber? The courts have dissolved the hydra-headed monster, the Oil Trust, and the price of oil has gone up. The Tobacco Trust has been strangled, and still our cigars cost the same. If you want to kill off the big man or the big

industry of a community, fire at all the little ones with the excuse that you are only trying to put the big one out of business. The little industries you may destroy; the big ones will still flourish. The whole Democratic propaganda as to the tariff is futile; worse than that, it is an insane delusion; and if it should be successful—which God forbid—every man, woman, and child in all the land, save only the "malefactors of great wealth," whom they profess to aim at, would suffer irreparable injury. I am no pessimist. I believe, with all my soul, in the future greatness of the Republic. Prosperity may be stayed by the Democratic Party, but we shall "come back." We shall, in this year 1912, elect a Republican Congress, a Republican President, and the industries of the people will be protected, and we shall march on as a truly progressive people to a new, a greater, and a lasting prosperity.

Mr. PALMER. Mr. Chairman, it is an absolutely complete answer to the amendment and the argument of the gentleman from Illinois [Mr. FULLER] in reference to sewing machines to say that the American to-day beats the world in the manufacture of them. We make for export \$9,000,000 worth of sewing machines per annum, and we imported in 1911 a miserable \$52,000 worth. American sewing machines go not only to Europe, to Africa, but to the Orient as well. They are used in China, Japan, and Siam. And it is an unanswerable proposition that under the present circumstances in the trade the American is able to compete with labor and with cost of manufacture the world over upon this article.

But, Mr. Chairman, I did not rise to discuss sewing machines. As we have about reached the conclusion of the consideration of this bill, I desire to take a few moments in which to make a brief reference to two or three of the criticisms which have been made against the bill during the progress of the debate.

The gentleman from Connecticut [Mr. HILL] presented earlier in the debate an amendment that had reference to this particular paragraph in the bill. He proposed that all patented articles which are included in this free list should carry the same rate of duty as the present law provides if imported from the plants of American manufacturers who took their plants abroad. It does seem to me that the gentleman from Connecticut when he gets stirred up about that proposition is engaged in the occupation, which is always self-terrifying, of seeing ghosts. Instead of relying, as he usually does, upon cold facts and figures, he gives rein to his imagination and then becomes himself frightened at the result. He would have us believe that the American manufacturer, the moment we take the duty off of typewriters and sewing machines and printing presses and goods of that kind, will tear down his plant, disorganize his business, throw away the millions of dollars he has invested in it, expatriate himself and his business, and go to Europe to engage in the manufacture of these articles in order that he may send them into the United States free of duty, while under present circumstances, manufacturing them in this country, he, of course, is not obliged to pay any duty on them whatever.

Mr. FULLER. Will the gentleman yield?

Mr. PALMER. No; I will not yield just now. If the fears of the gentleman from Connecticut [Mr. HILL] in regard to this proposition meet with no more enthusiastic support on the part of the manufacturers of the country than his recent predictions of disaster have met with in his own district, I for one shall not have much fear of the result. Two or three weeks ago the gentleman from Connecticut made a speech in this House, in which he attacked the course of the Democratic Party during the extra session. He sent his speech broadcast throughout his district. It contained all of the charges against the Democratic Party which have been repeated and reiterated during this debate, and the gentleman from Connecticut, evidently in pride of his work—

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania may be allowed to finish his remarks, and that then I may be allowed to reply.

Mr. UNDERWOOD. I am bound to object to that, Mr. Chairman.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. PALMER] has expired.

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania may proceed for 10 minutes.

The CHAIRMAN. Is there objection?

Mr. MANN. Reserving the right to object, I would ask if it is the intention then to cut off debate?

Mr. UNDERWOOD. I intend to cut off debate very shortly.

Mr. MANN. I shall not object to any debate in the House on any bill like this, even if the gentleman does apply the gag to us.

Mr. PALMER. I was about to say, Mr. Chairman, that the gentleman from Connecticut [Mr. HILL], in sending this speech, which he called "The Story of the Extra Session," to his constituents, asked a number of them to comment upon it, and I have before me now a sample of the replies which have been coming to the gentleman from Connecticut from his own people. It is a letter from a gentleman who resides in Stratford, Conn., and he says:

Mr. HILL, of the fourth district, has sent me "The Story of the Extra Session," asking me to read it and to comment upon it. In reply I sent him a recital of my experience last fall, which is as follows:

"My wife and I came into New York by steamer, having with us 7 yards of serge cloth, which was to be made into a dress for my wife. This cloth cost in London \$11.90, and was declared, as required by law. On those 7 yards of cloth I was obliged to pay two duties—a duty on the weight and a duty on the value—44 cents a pound and 55 per cent ad valorem. These duties amounted to \$.924, making the cost of the \$11.90 article \$21.14.

"A tax like this is unjust and excessive and can not be defended on the plea of protection to an American industry, as anyone can understand."

[Applause on the Democratic side.]

If this—

He says—

Is a sample of the provisions of the present tariff law, I am not surprised at the universal dissatisfaction which prevails in regard to it—

[Applause on the Democratic side.]

and I hope the Democrats will succeed in changing this law with some thought for the interests of the consumers.

[Applause on the Democratic side.]

Mr. BOWMAN. Mr. Chairman, will the gentleman yield?

Mr. PALMER. No; I will not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. PALMER. Now, reference has been made by one of my colleagues to the fact that, although this is a revenue bill, we show a loss in revenue. I feel that that is a matter which deserves a little attention. I made the statement earlier in the debate that this bill would increase the revenues of the Government over the revenues produced by the same schedule in the present law. I have not yet given the figures, but I desire to say now that, according to the estimates of imports made by the experts in the Treasury Department, this bill if it becomes a law will raise \$1,207,899 more than the same schedule in the present law raises. The reason why those figures are not the same as those contained in the report of the committee is this, that the revenues in the report, under the Payne law, are the book revenues, not the actual revenues. The revenues in 1911 under the Payne tariff were \$18,300,737, but of this \$2,531,496 went out in the way of drawbacks, leaving a net revenue of \$15,769,241.

We have laid the rate on tin plate, which constitutes 94 per cent of the drawbacks under the iron and steel schedule in the present law, at such a rate that tin plate will come into the country not for reexport, but for domestic consumption, and therefore the duty which we shall raise on tin plate will be actual revenue which will go into the Treasury and stay in the Treasury, so that the estimates are that under the present law the drawbacks will not amount to more than half a million dollars, which, being deducted from the estimated revenues under this schedule, will leave \$16,977,140 as the actual net revenues under this present schedule.

Now, somebody else has said, Mr. Chairman, that we have not had public hearings upon this bill. We discovered that the greatest engine of delay against a revision of the tariff law was a public hearing. If we opened this proposition to manufacturers of the country to come here ad libitum, we could not have got through the schedule for months and months. As a matter of fact, it has been published throughout the country for many weeks that we have been engaged in the preparation of this schedule, and not only hundreds but thousands of persons interested in the schedule have communicated with the committee, have filed their letters and their briefs, or have been personally heard. The committee has exercised patience with all of them [applause on the Democratic side], has given every man a fair and full hearing, and has denied to no man the right to present his case in any way he saw fit, except by taking up the time of the committee and of this Congress by holding public hearings before the full Committee on Ways and Means.

As a result, Mr. Chairman, I declare that we have written a bill which is fair to the manufacturers, because it will not reduce their profits below an honest return upon the real capitalization of the manufacturing enterprises in this country. We have written a bill which is fair to the consumer in the country, because under it, just as surely as a gun is iron, the price of products covered by this bill will be somewhat reduced, for the benefit of the man who must use them every day. And we have written a law which is fair to the Treasury of the United

States, for it will go further toward raising the money necessary to operate the Government than the present law.

Mr. CHAIRMAN, in my judgment this bill will receive the approval of the country. It will, in my belief, receive the approval of the Senate, and if it shall not receive Executive approval, then the responsibility for denying to the people the benefits of this legislation will be upon the President and his party and not upon us. [Applause on the Democratic side.] I admire the President. I am not so rank a partisan but what I can see that he possesses patriotic instincts and impulses, and I believe that if left to his own judgment he would sign this bill when it reaches him. And I hope, for the sake of the American people, that when it does reach him he will not be again swerved from the path he would follow if he pursued his own judgment, by those advisers who desire to continue the favors to special privilege which this bill denies. [Applause on the Democratic side.] I repeat, Mr. Chairman, that after all has been said and done, after all the guns have been fired against the bill, nothing but general talk has resulted, and no man has put his finger anywhere upon any point in the bill where he can show that it will injure honest business enterprise or the interests of the American consumer. And if the President shall now fail to assist us in giving relief to the people from the burdens of an unjust tax, we have made up our record and we are ready to go to the jury for a verdict. [Applause on the Democratic side.]

Mr. UNDERWOOD. Mr. Chairman, I move that all debate on this paragraph be limited to 20 minutes.

The CHAIRMAN. The gentleman from Alabama moves that all debate on this paragraph be closed in 20 minutes.

Mr. CANNON. Who will have the 20 minutes?

Mr. UNDERWOOD. It will be divided between the two sides.

Mr. CANNON. It seems to me this side ought to have the 20 minutes. The gentleman from Pennsylvania [Mr. PALMER] has occupied the time—

Mr. UNDERWOOD. I am willing to give 15 of the 20 minutes to that side of the House, if the Chair will recognize gentlemen on that side. I am even willing, if you will do it by unanimous consent, to close debate in 25 minutes, and to give 20 minutes to that side of the House. I ask unanimous consent that debate on this paragraph close in 25 minutes, 20 minutes to be controlled by the gentleman from Illinois [Mr. CANNON] and 5 minutes by myself.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that debate on this paragraph be closed in 25 minutes, 20 minutes time to be controlled by the gentleman from Illinois [Mr. CANNON] and 5 minutes of the time to be controlled by the gentleman from Alabama [Mr. UNDERWOOD].

Mr. JACKSON. Mr. Chairman, reserving the right to object, will not the gentleman from Alabama make that 30 minutes? There are two or three gentlemen who want to say just a few words on this subject.

Mr. UNDERWOOD. We have already had a considerable amount of debate on this paragraph. If there had been as much on every other paragraph it would have taken a week.

Mr. PAYNE. When the matter of debate on this bill was talked of in the Committee on Ways and Means, the gentleman was anxious to limit the general debate—

Mr. UNDERWOOD. I tried to make an arrangement.

Mr. PAYNE. The gentleman was anxious to limit the general debate to one day. To that we said we could not agree. The gentleman did limit it to one day. At the same time he said that we should have all the five-minute debate we wanted.

Mr. UNDERWOOD. Within reason.

Mr. PAYNE. Even if it took a week.

Mr. UNDERWOOD. No; I never said you could debate it for a week under the five-minute rule. I said you could have reasonable debate, and I have given reasonable debate on this.

Mr. MANN. This is not reasonable debate.

Mr. PAYNE. The gentleman talked about six days.

Mr. UNDERWOOD. Oh, no.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama [Mr. UNDERWOOD]?

Mr. MANN. I object to any such limitation of debate on this important paragraph.

Mr. UNDERWOOD. Then I move that debate on this paragraph close in 20 minutes.

Mr. PAYNE. I do not wonder the gentleman is afraid to have debate.

The CHAIRMAN. The gentleman from Alabama moves that debate on this paragraph close in 20 minutes.

The question was taken; and on a division (demanded by Mr. MANN), there were—ayes 111, noes 70.

Mr. MANN. I demand tellers.

Tellers were ordered.

The CHAIRMAN. The Chair will appoint the gentleman from Alabama, Mr. UNDERWOOD, and the gentleman from Illinois, Mr. MANN.

Mr. UNDERWOOD. I ask that the gentleman from Pennsylvania [Mr. PALMER] take my place.

The CHAIRMAN appointed Mr. PALMER and Mr. MANN.

The committee again divided; and the tellers reported that there were 112 yeas and 86 nays.

So the motion prevailed.

Mr. PAYNE. Mr. Chairman, I can not sit quietly by and let go unchallenged the false pretenses under which this bill is being jammed through the House and through the committee without proper consideration anywhere, either in the Committee on Ways and Means or in this Committee of the Whole.

Why, the gentleman from Alabama in the few remarks he made in general debate said that 14 schedules in the present law had only 12 days of general debate in the House. He forgot to mention that we met then at 11 o'clock and continued until 6, and then took a recess until 8, and continued until 11 and 12 o'clock at night, debating each day twice as many hours as the five hours allowed on this bill. There were 130 hours of actual general debate upon that bill. He said it covered the whole tariff, and that there were 14 schedules, and that is true; but he suppresses the fact that one-half of those schedules—half of 14—could easily be selected that would not have so much dynamite in them, so much interest to the industries concerned in them, as there is in this great schedule of the tariff involving so much of the business interests of the country and so intimately connected with the people of the country. It was a false pretense to offer to this country such an excuse for the beggarly debate of five hours on this bill.

Now the gentleman from Pennsylvania [Mr. PALMER] talks about hearings before the committee. The committee has not sat a single minute for hearing anybody upon this schedule or on any other. [Applause on the Republican side.] Does he think there is no Ways and Means Committee here except himself and the gentleman from Alabama and a few other people that happen to be for the time being in the majority in this House? Has the minority no rights? Do they represent no one? Have not they a right to be at every hearing that comes before the committee?

Oh, but they say they had petitions and letters from people throughout the country. Why, in God's name, did you not publish a single line of these letters or a single line of these petitions? [Applause on the Republican side.] Why bury them in the archives of the committee and keep it all to yourselves until you get in the very last hour of this very brief debate before you inform any of the minority members of the committee that you have such papers on file there? Why wait until you are driven to the wall? There are men here that might have voted for your bill who are protesting against the great injustice of your action here on this bill. Why do you do it? Why not publish the letters and petitions that you have? When we were considering the tariff bill we had a list of over 2,500 people engaged in business, both of importing and manufacturing, in the United States, to whom we sent a daily report of every hearing before that committee. We published thousands of volumes of the full hearings, which were eagerly sought and of which you can hardly find a volume now that has not been distributed to some party in the country who knows about schedules and is interested in them. What have you sent out? Why, you do not dare to publish a decent edition of the Tariff Board report on wool and woollens. [Applause on the Republican side.]

What are you afraid of? Are you afraid of the light of day? Do you think that you are going to fool the American people? Do you think you are fooling them by coming in here and cutting down duties without any regard to the industries that will be affected, without any regard to the wage earners whose wages you are going to cut down, and then by the chairman of the Committee on Ways and Means, with that smile on his countenance, saying, "We are cutting these duties, but business interests need not be afraid, because there is nothing in any of these bills which we seek to enact that will harm any business interest in this country."

No; that is true. There is nothing in your bills that will do any harm. Why? Because you will never enact them into law. [Applause on the Republican side.] You would not bring this bill in here if one of you believed it would ever be the law of the land, in view of the next election. You would not dare to do it; and if you had the power, you would not dare to enact the legislation in this bill that you bring in.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PAYNE. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

Mr. KINDRED. Mr. Chairman, I ask unanimous consent that the gentleman extend his remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent that he may continue for five minutes. Is there objection?

Mr. PALMER. Mr. Chairman, that does not affect the arrangement that there is only 20 minutes of debate, which will leave 10 minutes more of debate after the gentleman has concluded?

Mr. PAYNE. Well, suppose it does not?

Mr. MANN. We understand that.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PAYNE. Mr. Chairman, the gentleman from Pennsylvania [Mr. PALMER] said if the President is left alone he will sign this bill. The gentleman from Pennsylvania has watched the President of the United States with blinded eyelids, if he has the slightest belief that he will sign this bill. What does the President say, and what has he said? He says that he is in favor of levying a tariff according to the Chicago platform, a tariff that will make up the difference in cost abroad and at home, after that cost has been ascertained. Does he say that he is for a bill that will cut all protection out from every industry under this bill? Did he ever promise any such thing as that? Why, you are not frank enough always to admit it, and when you do you wind up your speeches by the bland assurance that your bill will injure no industry. The President has declared himself in favor of a Tariff Board. He appointed one, a bipartisan board, composed of gentlemen who understand their business, and who understand it so well that when their report on the wool schedule came in here it paralyzed you gentlemen on that side. [Applause on the Republican side.] You did not want to print it, and you did not dare suppress it, in toto. So you suppressed it by the beggarly printing of 500 copies, and you refuse to report a resolution to print any more. The country wants it. Oh, I was told the other day by the chairman of the Committee on Ways and Means that the Committee on Ways and Means had some copies.

Well, gentlemen had been there and had asked for enough copies to simply supply the demand that had come to them. Instead of getting 25 or 30 copies they got 5. They were members of the committee. The gentleman knows there have not been copies printed for general distribution. He knows that the woolgrowers of the country and the woolen manufacturers—yes, the workmen of the country—want to know what the report of this Tariff Board is. He knows that our constituents want it because they are watching you as they are watching me, and they want to know the basis upon which we bring in tariff bills.

Are you afraid? What are you afraid of? What is my friend from Pennsylvania [Mr. PALMER] afraid of? Oh, he says that he has been challenged by some manufacturers in his district and told that he is going to have a hard time of it. Well, that was not any news to him. He knows he will have a hard time of it when he comes up for reelection next fall. He knows he can not fool those people up there with any such rank nonsense about increasing the industries in this country by taking away the difference in the cost of production at home and abroad. He knows that; but he has got to march along with the Democratic Party, like one brother who wanted to vote on this amendment in favor of leaving the duty on machine tools this morning, but told his constituents that he did not dare to vote that way because he would lose his standing in the Democratic Party. [Laughter and applause on the Republican side.] He is like my friends from Colorado who offered amendments and saw them voted down, and, I suppose, are now working themselves up to the point where they are going to take this bill blindly. The people will not be blind when these gentlemen go before them next fall. They will hear from the people at that time. Go on, gentlemen, close your doors, keep out the minority of the committee, report to your caucus, swallow the words of your boss, lie down and let him walk over you, pass any sort of a bill that he seeks to bring in, and do not allow any amendments to it, although you see as plainly as you saw when those other bills were before the House that the committee had made the grossest kind of mistakes. For instance, let us take your free-alcohol bill when you cut out the revenue on alcohol. Oh, I could stand here for an hour and enumerate those mistakes. The gentleman from Connecticut [Mr. HILL] enumerated them in his speech.

Why are you in such haste in putting this bill through the House? Are you afraid of the "back talk" that is coming from the people all over the country because of their honest criticism and condemnation of this bill? Come, now, be honest and own up that it was argued at the caucus that this bill

must be hurried through the House before the members of your party heard from their constituents, else the caucus rule might be broken.

The gentleman from Alabama [Mr. UNDERWOOD] said a few minutes ago that we were exporting 10 per cent or more of our machine-tool products, while the amount of the imports was small. Well, we are exporting 10 per cent of the machine-tool products in this country, and the imports are not large; but if you had made a thorough inquiry you would have found out, from those who know, the further fact that 90 per cent of the machine tools exported were "specials," not made in foreign countries. Other exports were of standard tools, which were better, and better made than those produced in the country to which they were exported, and the American tools were bought there at a higher price because of the excellence of their make and design.

If this committee, in their secret conclaves, had examined further, they would have found that we reduced the tariff on these tools from 45 to 30 per cent, a reduction of 33½ per cent, three years ago; that since that time there had been a larger importation of standard machine tools into this country, and that the trade was growing. If the gentleman had ascertained these facts, it would have absolutely destroyed the argument he has been making here in favor of putting machine tools on the free list.

The gentleman from Pennsylvania [Mr. PALMER] has called up here one communication from one constituent of the gentleman from Connecticut [Mr. HILL], and another gentleman from Pennsylvania wanted to call up a letter from a constituent of the gentleman from Pennsylvania which would have made hot reading.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask that the gentleman have five minutes more time.

The CHAIRMAN. The gentleman from Illinois asks that the gentleman from New York have an additional five minutes. Is there objection?

Mr. PALMER. Mr. Chairman, reserving the right to object, we are operating under unanimous-consent agreement—

Mr. MANN. Oh, no; not at all. We are not operating under any unanimous-consent agreement at all. The gentleman, as usual, is wrong.

Mr. PALMER. We are operating under an order of the committee that the debate close in 10 minutes from now.

The CHAIRMAN. Yes.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from New York [Mr. PAYNE] may proceed for five minutes more.

Mr. PALMER. Mr. Chairman, the minority side has had 10 minutes of that time, and in view of that fact I shall be obliged to object.

The CHAIRMAN. The gentleman from Pennsylvania objects.

Mr. MANN. Cutting off debate, as usual, on that side of the House.

Mr. HILL. Mr. Chairman, I would like to ask the gentleman from Pennsylvania if he, the gentleman from Pennsylvania, will not kindly ask the House to give me 10 minutes to reply to him?

The CHAIRMAN. The time is not within the control of the gentleman from Pennsylvania.

Mr. PALMER. I will say to the gentleman we have another paragraph in the bill—

Mr. HILL. But, Mr. Chairman, the gentleman has seen fit to bring upon this floor a letter addressed to me and I have a right to reply to it. [Cries of "Regular order!"]

Mr. MANN. That is right; cut off debate on a bill involving millions of dollars; cut off debate.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. FITZGERALD].

Mr. CANNON. Mr. Chairman, I desire to ask unanimous consent—

The CHAIRMAN. The gentleman from New York has the floor.

Mr. CANNON. Mr. Chairman, I ask unanimous consent that the gentleman from Connecticut [Mr. HILL] have 10 minutes to reply to the gentleman from Pennsylvania [Mr. PALMER], and that then the gentleman from Pennsylvania have 5 minutes to rejoin, so that he can further defend the man from Connecticut who wrote the letter from which he read—the plutocrat he wished to protect because he had to pay \$9 duty on that extraordinary cloth for a dress which he bought abroad for his wife and wished her to wear in the United States. [Laughter and applause on Republican side.] [Cries of "Regular order!"]

The CHAIRMAN. Regular order is demanded. The Chair recognizes the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Chairman, the pending amendment is to strike sewing machines from the free list. The effect of the adoption of the amendment would be to make them subject to a duty of 25 per cent. Under the present law they are dutiable at 30 per cent. If there be any article affected by the tariff, Mr. Chairman, that should now be placed on the free list it is sewing machines. They are required in every household in the United States. They are not luxuries, they are needed and useful articles. By reason of the exactions and the unjustifiable prices maintained by the company which practically monopolizes the manufacture of sewing machines the poor of this country have been subjected to an extortion that is appalling. [Applause on the Democratic side.] Standard sewing machines sell in this country from \$40 up to \$60 and \$75. The same sewing machines are exported—

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. FITZGERALD. No; I will not yield—for sale in other countries, and the export price is less than \$8. [Applause on the Democratic side.] Moody's Manual contains some information about the manufacturers of sewing machines about whom there is so much solicitude on the other side of the House. Under the same old plea that the employees of the manufacturing establishments will suffer if the duty be lowered we are begged to make no reduction in the tariff on sewing machines.

In Moody's Manual for 1909, the well-known publication containing information about various corporations, appears the following:

Singer Manufacturing Co.: Incorporated originally in January, 1864, in New York, with a capital stock of \$500,000, to take over the business of I. N. Singer & Co. The present company was chartered in New Jersey on February 20, 1873, under special act, for the purpose of manufacturing sewing machines, etc. Plants are located at Elizabethport and Netcong, N. J.; Kilbowie, near Glasgow, Scotland; St. John, Quebec, etc. In November, 1904, the Singer Sewing Machine Co. was organized to act as distributing agents for the products of the company. In 1906 the Wheeler & Wilson Manufacturing Co. was absorbed. The company handles over 80 per cent of the world's output of sewing machines. It owns its own iron mines and timber land.

Capital stock: Originally \$1,000,000; increased in 1887 to \$10,000,000, and again in December, 1900, by a stock dividend of 200 per cent, to \$30,000,000; par, \$100. Transfer office, Elizabeth, N. J. Cash dividends have been paid (quarterly, January) in recent years as follows: 1898, 30 per cent; 1899, 100 per cent; 1900, 20 per cent; 1901, 7 per cent; 1902, 9½ per cent; 1903, 12 per cent; 1904, 31 per cent; 1905, 13 per cent; 1906, 8 per cent; 1907, 11 per cent; 1908, 12 per cent; January, 1909, 5 per cent.

Officers: Douglas Alexander, president; E. H. Bennett, vice president; T. E. Hardenbergh, secretary and treasurer; directors, F. G. Bourne, T. E. Hardenbergh, E. H. Bennett, Douglas Alexander, A. K. Bourne, S. C. Clark.

Annual meeting, third Wednesday in September.

Offices, Elizabeth, N. J., and 149 Broadway, New York.

This brief statement discloses a condition justly demanding redress. This corporation is capitalized at \$30,000,000, of which at least \$20,000,000 apparently is water. It has paid as high as 100 per cent in dividends. Its earnings have been enormous and have been partly covered by its inflated capitalization.

This, Mr. Chairman, is the struggling infant in the industrial world that the gentleman from Illinois proposes under the specious plea of helping its employees to give the benefit of a protective tariff to the extent of 25 per cent. These enormous profits have been taken from the very poor of the country, poor seamstresses, poor housewives, and those who are engaged in the sweatshops of the country, and who eke out a pitiable existence in long and piteous toil. They have been at the mercy of this one dominating concern, and they have been compelled to contribute to the enormous profits of this corporation, which controls 80 per cent of the world's output of sewing machines. The solicitude of gentlemen on that side of the House that this industry be not affected, that it be not injured in its legitimate business, is typical. It illustrates the Republican viewpoint. This enterprise should be permitted to continue to extort from those little able to contribute unconscionable profits. This is the application with vigor of the doctrine that the manufacturers' profits should be protected, regardless of the effect upon the consumer, or whether the consuming public can justly be subjected to the burdens imposed.

This one item, Mr. Chairman, illustrates vividly the policy of the Republican Party. It is to protect the illegitimate profits of the manufacturer at the expense of the consumers, no matter what their condition may be. [Applause on the Democratic side.] I congratulate the Committee on Ways and Means upon its action in declining to give those interested in this industry an opportunity longer to fool the people by submitting ingeniously prepared statements that merely muddle instead of giving light. No hearings were required, no information could be given, no facts could be furnished that would not have imperatively demanded that sewing machines be placed upon the free list so that the throttling hand of this trust might be loosened

from its grip upon the country and relief from its exactions afforded to the people. [Applause on the Democratic side.]

Mr. KINDRED rose.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. KINDRED. Mr. Chairman, as a commentary upon the whole steel situation, and as a sad commentary upon the deplorable industrial and labor conditions existing in the steel mills in this country, and in view of the copious crocodile tears shed by certain gentlemen on that side of the aisle in alleged sympathy for the workingman of this country, I desire to have printed in the Record, because I do not desire to take up the time of the House in reading it, the recent report of the Department of Commerce and Labor dwelling upon the outrageous labor conditions in the steel industries in this country.

The CHAIRMAN. The gentleman from New York asks unanimous consent to print the article referred to in the Record. Is there objection?

There was no objection.

Mr. KINDRED. The following is the article referred to as indicating the kind of "square deal" labor is getting under the Republican Payne-Aldrich protective tariff law, and also as plainly showing that the most highly protected special interests in the United States, such as the steel and woolen and many other monopolistic industries exacting millions of profits from the American people, under the existing tariff law, outrageously underpay and maltreat laboring men.

SLAVES OF STEEL—UNITED STATES REPORT ATTACKS LABOR SYSTEMS IN BIG MILLS—SKILLED ARTISANS OUSTED—WORKMEN "WHO CAN HARDLY SPEAK ENGLISH TOIL, EAT, AND SLEEP"—DOCUMENT, WHICH WILL BE SENT BY THE DEPARTMENT OF COMMERCE AND LABOR TO THE SENATE, SAYS THOUSANDS WORK 18 HOURS A DAY AND 7 DAYS A WEEK—MANY ON DUTY 24 HOURS—PAY OF MAJORITY 14 CENTS AN HOUR.

Following a sweeping investigation covering almost every great steel manufacturing plant in the United States, the Department of Commerce and Labor, in a report now ready for the Senate, accuses practically every corporation of maintaining a system of labor almost as cruel and unnecessary as the galley slavery of ancient times.

Making the direct statement that steel corporations have instituted a policy of eliminating skilled artisans and putting in their places the lowest form of unskilled workmen, who are paid 14 cents per hour, the report states that the men are at times forced to remain on duty without relief as long as 24 hours at a stretch, and that in some plants 18-hour shifts are the rule rather than the exception.

One-fifth of the 173,000 employees, the report says, of all blast furnaces, steel works, and rolling mills work 84 hours, or 12 hours a day for 7 days per week. Many of them go to their homes "only to eat and sleep." In May, 1910, the period covered by the investigation, it was found that 50,000 furnace and steel mill employees worked regularly 7 days a week, and that 34,000 worked 84 hours or more a week.

HOURS OF OTHER WORKERS SHORTENED.

"Added significance attaches to the conditions of labor here described," says the report, "when we consider that the general tendency for years past has been toward a shorter working day. Years ago the 10-hour day became almost a standard. Since that time further reductions have brought the working day to 9, and in many cases to 8 hours, and this reduction has been accompanied by a part holiday on Saturday.

"It is therefore in striking contrast to this general tendency in other industries to find in a great basic industry, such as that part of the iron and steel industry covered in this report, that approximately only 14 per cent of the 173,000 employees worked less than 60 hours per week, and almost 43 per cent worked 72 hours or over per week.

INCREASE IN UNSKILLED MEN.

"Another striking characteristic of the labor conditions in the iron and steel industry is the large proportion of unskilled workmen in the labor force. Not far from one-half of the 91,463 employees in the productive iron and steel occupations included within this investigation were of the class of unskilled workmen.

"In the blast-furnace department more than two-thirds of the 24,722 employees in productive occupations were unskilled laborers, a large proportion of whom do not yet speak or understand English."

The investigation was authorized by a Senate resolution, following the revelations that proceeded from the great strike at the Bethlehem Steel Co.'s plant two years ago. Attention is directed to the fact that while there is a metallurgical necessity for continuous operation of the blast furnaces, no such necessity exists in other departments, where the 7-day work has also been the rule. In some cases the hardships of a 12-hour day and a 7-day week are added to by a change from day to night work, and vice versa, at the end of the week, one crew of men having to work a shift of 24 hours to make the change.

ENFORCED A REST ON SUNDAY.

It is also pointed out that at the end of the investigation of the Bethlehem works in 1910 the president of the steel corporation directed the rigid enforcement of a resolution adopted three years previous cutting out a large part of Sunday work except in the blast-furnace department.

"Since the beginning of the present investigation," says the report, "this matter of abolishing seven-day work for the employees in the blast furnaces, as well as for other employees of the industry, has received the attention of the Iron and Steel Institute, and a plan has been proposed which gives each employee a day of rest each week, and does away with the 18 hours or 24 hours of consecutive work."

This plan, it is stated, has been successfully operated by several plants throughout the country.

The report shows that of the 172,708 employees, 73,529 had a working week of 72 hours or more. Over one-fourth of all the employees had a regular working week of more than 72 hours. Over 35,000 had a working week of 84 or more hours, while only 14.39 per cent had a working week of less than 60 hours.

SEE TENDENCY TO LOWER WAGES.

"Nothing has been done by the manufacturers," continues the report, "nor have any proposals been made to lessen the proportion of men working 72 hours or more per week, or at least 12 hours a day for six days a week. The proportion, as shown in this investigation—43 per cent—remains unchanged, being unaffected by the plan to give the men who are working 84 hours per week one day of rest in seven.

"Large as is the proportion that unskilled labor forms of the total labor force in the iron and steel industry, steel experts have noted the fact that the tendency of recent years has been steadily toward the reduction of the number of highly skilled men employed and the establishment of the general wage on the basis of the common or unskilled labor.

"Of the total of 172,706 employees, 13,868 earned less than 14 cents per hour, 20,527 earned 14 and under 16 cents, and 51,417 earned 16 and under 18 cents. Those earning 18 and under 25 cents per hour numbered 46,132, while 40,762 earned 25 cents and over.

"A few very highly skilled employees received \$1.25 per hour, and those receiving 50 cents and over per hour numbered 4,403."

Mr. BOWMAN. Mr. Chairman, it has just been stated by my colleague from Pennsylvania [Mr. PALMER] that no honest industry would be affected by this bill. In this connection I would like to read a letter from an honest man regarding what I have always considered was an honest industry.

The letter is from the Hazard Manufacturing Co., of Wilkes-Barre, Pa., and is as follows:

Hon. C. C. BOWMAN,

House of Representatives, Washington, D. C.

DEAR SIR: The ad valorem rate on wire rods, which we import from England and Sweden, under the new bill is 10 per cent, which makes us pay about the same rate of duty as before, i. e., 3 cents per pound specific. So we have no objection to the proposed duty on wire rods. We have no objection to 20 per cent ad valorem duty on wire, because we do not import same, importing the rods instead and finishing same in our own wire mill. Some of our competitors do import wire and they will be benefited by this 20 per cent ad valorem rate as against the specific rates in the present law, which amount to 35 per cent ad valorem. So much for wire. But what we do object to is that manufacturers of wire also, under the new bill, pay only 20 per cent ad valorem. Under the old bill manufacturers of wire paid a specific duty, which was under the general provision that it was not to be less than 35 per cent ad valorem, and in addition a specific duty of 1 cent per pound. Wire rope is an old special industry which requires the finest grades of material and in which the labor cost runs upward of 60 per cent of the total cost of production. A duty of 20 per cent ad valorem does not begin to represent the difference in the cost of the finished product of equal grade in this country as against England, Germany, and Sweden. If a revision downward of the specific duty on wire is to be given up, it seems to me a reduction from 35 per cent ad valorem to 25 per cent ad valorem would have been a fairly radical reduction in the wire, and there should be some additional specific duty for manufacturers of wire as under the old bill, i. e., 1 cent per pound, or if the ad valorem duty was to be retained the manufacturers of wire should have carried 30 per cent ad valorem rate.

I am inclosing herewith copy of letter I wrote to Mr. PALMER on this subject, which is not a technical argument, but is intended to represent a fair argument against too radical a reduction of duty on rods, wire, wire strand, and wire rope. I wish you would be good enough to read it. We can get little, if any, consideration from the House in this matter, but hope that the Senate may be opposed to a too radical reduction in the metal schedule which is really going to allow foreign manufacturers to invade our market by reason of their much lower cost of production. I am perfectly willing to accept the principle of a revision downward, but it seems to me that a radical cut in the schedule which is not based upon an accurate knowledge of the effects of such revision is a blow at American industry entirely undeserved and contrary to the spirit of fair play. I look upon reasonable protection as an American policy in favor of home enterprise which should be entirely divorced from political partisanship. If free trade is a better American policy than protection, irrespective of party, it means a revolution from the historic idea which has prevailed in this country thus far. If protection, on the other hand, is the best American policy, manufacturers under it do not wish to be supported by any schedule of duties to exploit the American people. They do wish schedules that, when revised, are revised with consistency and in a scientific manner, which takes cognizance of all the facts, including that most important fact which I have alluded to—the radical lower cost of production in the manufacture of wire in England, Germany, and Sweden, as against the cost of production in this country, of equal grades. We have to import the largest portion of rods entering into our Swedes iron and English cast steel and plow steel and wire rope, and under the new bill we must pay thereon 10 per cent ad valorem duty on the rods, while under the new bill we have a protection only of 20 per cent ad valorem on the wire drawn from these rods and the manufacture of wire into the highly specialized product—wire strand and wire rope.

Very truly, yours,

HAZARD MANUFACTURING Co.,
JOHN C. BRIDGMAN,
General Manager.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOWMAN. Mr. Chairman, I ask permission to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. BOWMAN. I also wish to insert in the RECORD a copy of a letter addressed to my colleague from Pennsylvania [Mr. PALMER], as follows:

JANUARY 16, 1912.

Hon. A. M. PALMER,

House of Representatives, Washington, D. C.

DEAR SIR: May I appeal to you as a Congressman from a near-by district and interested in industries of our State to fairly analyze the farmers' free-list bill, which, in lines 23, 24, and 25, clearly confuses wire rods, wire, and wire strands, used by the farmers for fencing, with wire rods, wire strands, and wire rope, used in an old and impor-

tant industry, i. e., wire-rope manufacture. I don't think there is any objection to having rods, wire, and strands used for fencing in a free list, because such rods, wire, and strands are made of the cheapest Bessemer and open-hearth material, and I don't think the manufacturers of same require protection on account of the low cost of Bessemer and open-hearth rods in this country as against the cost of the same material in England and Germany. The labor component of such cost is comparatively low. If wire rods were left in the free-list bill, they should be limited in cost to 1½ cents per pound as a maximum. Wire rods are almost never used for fencing, because they are too large and stiff to handle. But wire rods, wire strand, and wire rope, the first costing more than 1½ cents per pound, constitute an entirely different product and industry. Farmers use from one one-hundredth to one-fifth of 1 per cent of the total wire rope used in this country. Wire rope is mainly manufactured for hoisting purposes, either in mines or in connection with elevators, or is used in quarries or by contractors in the construction of buildings. Wire strand represents the first step in the manufacture of wire rope. While too stiff for hoisting purposes, it is largely used for guying purposes by telephone, telegraph, electric light, and street railway companies. Wire rope represents in the finished product a labor cost of not less than 60 per cent and as high as 70 per cent. Wire strand represents a labor cost of not less than 35 per cent and as high as 50 per cent, according to the size manufactured. We are up against the low labor cost of the English and German manufacturers in the manufacture of wire strand and wire rope. Moreover, the manufacturers must go into the markets of the world for the best obtainable wire rods for the manufacture of wire rope. The Swedish iron and English cast-steel and plow-steel rods, with Swedish ores as a base, are the finest materials for the manufacture of wire rope, and our own company very largely uses such imported material in its products. Wire ropes generally are subjected to the most exacting use to which iron and steel in any form is subjected, and human life is generally involved in the use of this product. Wire rope is practically worthless for strength and reliability when made of ordinary Bessemer or open-hearth steel rods costing 1½ cents per pound or less.

I hope the above brief statement will show you that wire rods, wire strand, and wire rope should be differentiated entirely from fence wire and fence strand and that the old industry in this country engaged in their manufacture should be given a moderate tariff protection. Under the present tariff, wire rods valued at 4 cents per pound or less are subject to a duty of three-tenths cent per pound; wire made therefrom to a specific duty, according to size. Wire strand and wire rope are given a protection of 1 cent per pound in addition to the specific duty on the wire from which the strand and wire rope are made. The three-tenths cent duty on the rod represents about 10 per cent ad valorem duty on imported wire rods, of which wire strand and wire rope are made. The schedule of duties on wire represents from 25 to 35 per cent ad valorem duty. The present schedule on wire strand and wire rope represents some 30 to 40 per cent ad valorem duty. The specific schedule is much better than the ad valorem, because it can be more easily and clearly applied.

This letter is not to propose any schedule, but to simply call to your attention the character of the wire-rope industry as differentiated from products that go into fence wire and strand used by farmers, and to appeal to you to continue to give the wire-rope industry some reasonable protection. In view of the high labor component entering into same, against the radically lower cost of the same products in England and Germany, notably by reason of their radically lower labor cost.

While I am a protectionist as against a free trader, I believe in very moderate protection, and I believe that any downward revision of the previous specific schedules should be gradual, as the wire-rope industry, like many industries of this country, has been built up with the belief that the Government in its treatment of tariff schedules would not be radical in opening the doors for a foreign invasion of our market, even though in the past tariff schedules have more than represented the difference in the cost of American and foreign products of the same kind and grade. I am perfectly willing to have the scientific method applied in the adjustment of schedules. In my judgment, a nonpartisan and intelligent treatment in tariff adjustments is the true way.

Please pardon my writing thus at a greater length than I desired. I have tried to present to you a logical and true statement of the needs of the wire-rope industry in this country, which is engaged in the production of a most responsible and highly specialized product.

Very truly, yours,

General Manager.

Mr. BOWMAN. Mr. Chairman, this company is one of the most important in the country engaged in this line of manufacture, employing a large number of workmen at good wages.

Even though this bill does not become a law the circumstances connected with its preparation and consideration by this body has caused great fear upon the part of the industries affected. There are troubles enough connected with the conduct of business at this time without this addition to the burden.

Mr. STANLEY. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Pennsylvania be extended one minute so that he can answer a question.

Mr. COOPER. I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FULLER], to strike out "sewing machines." The Clerk will report the amendment.

The Clerk read as follows:

Page 22, line 9, strike out the words "sewing machines."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

Mr. STEENERSON. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

After line 14, page 22, insert the following:

"That the act entitled 'An act to promote reciprocal trade relations with the Dominion of Canada—

Mr. MANN. Mr. Chairman, I think that is offered as a separate paragraph.

Mr. STEENERSON. It is offered as a separate paragraph. Let the Clerk finish the reading.

Mr. MANN. I am compelled to insist on my objection. The gentleman can have it read at the proper time.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] objects.

Mr. AUSTIN. Mr. Chairman, I desire to offer an amendment to the paragraph.

The CHAIRMAN. I will say to the gentleman from Minnesota [Mr. STEENERSON] that he is entitled to offer an amendment to perfect the paragraph.

Mr. UTTER. I desire to offer an amendment.

The CHAIRMAN. The gentleman from Rhode Island offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend on page 22, line 9, by striking out the words "printing presses."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Rhode Island [Mr. UTTER].

The question was taken, and the amendment was rejected.

Mr. MANN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 22, line 14, after the word "parts," by striking out the period and inserting the following: "From a country, dependency, province, or colony, being the product thereof, which imposes no import tax or duty upon the importation from the United States of cottonseed oil, cottolene, and cotton stearin, and lard and compounds thereof."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the Chairman announced that the yeas seemed to have it.

Mr. MANN. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 58, noes 81.

Mr. MANN. I ask for tellers, Mr. Chairman.

Tellers were ordered.

The CHAIRMAN appointed Mr. AUSTIN and Mr. DIXON of Indiana.

The committee again divided; and the tellers reported—ayes 74, noes 94.

So the amendment was rejected.

Mr. MANN. Mr. Chairman, I offer a further amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 22, line 14, after the word "parts," by striking out the period, and inserting the following: "From a country, dependency, province, or colony, being the product thereof, which imposes no tax or duty or restriction, by way of regulation or otherwise, upon the importation from the United States of live cattle, meats of all kinds, fresh, dried, smoked, salted, in brine, canned, or prepared or preserved in any manner."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the Chairman announced that the yeas seemed to have it.

Mr. MANN. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 59, noes 83.

Mr. MANN. I ask for tellers, Mr. Chairman.

Tellers were ordered.

The CHAIRMAN appointed Mr. AUSTIN and Mr. UNDERWOOD.

The committee again divided; and the tellers reported—ayes 61, noes 89.

So the amendment was rejected.

Mr. MANN. Mr. Chairman, I offer a further amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 22, line 14, after the word "parts," by striking out the period and inserting the following: "From a country, dependency, province, or colony, being the product thereof, which does not impose any export tax or charge of any kind upon or in any way restrict the exportation to the United States of crude potash or black salts, crude or refined carbonate of potash, hydrate of or caustic potash, crude nitrate of potash or saltpeter, crude or refined sulphate of potash, or muriate of potash."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the Chair announced that the yeas seemed to have it.

Mr. MANN. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 53, noes 88.

Mr. MANN. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The CHAIRMAN appointed Mr. AUSTIN and Mr. HULL.

The committee again divided; and the tellers reported—ayes 60, noes 88.

So the amendment was rejected.

Mr. MANN. Mr. Chairman, I offer a further amendment to the paragraph.

The CHAIRMAN. The gentleman from Illinois offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 22, line 14, after the word "parts," by striking out the period and inserting the following: "From a country, dependency, province, or colony, being the product thereof, which imposes no import tax or duty on like articles imported from the United States."

The question being taken on the amendment, on a division, demanded by Mr. MANN, there were, ayes 50, noes 91.

Mr. MANN. I demand tellers, Mr. Chairman.

Tellers were ordered, and the Chair appointed Mr. SAUNDERS and Mr. AUSTIN.

The committee again divided; and the tellers reported—ayes 50, noes 90.

Accordingly the amendment was rejected.

Mr. MANN. Mr. Chairman, I offer a further amendment to the paragraph.

The CHAIRMAN. The gentleman from Illinois offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 22, line 14, after the word "parts," by striking out the period and inserting the following: "From a country, dependency, province, or other subdivision of government, being the product thereof, which does not impose any export duty, export license fee, or other export charge of any kind whatsoever upon or which does not prohibit or restrict in any way the exportation of news-print paper, wood pulp, or pulp wood."

The question being taken on the amendment, on a division (demanded by Mr. MANN) there were—ayes 42, noes 61.

Accordingly the amendment was rejected.

Mr. MANN. Mr. Chairman, if no other Member desires to offer amendments to this paragraph I desire to offer a new paragraph.

Mr. STEENERSON. Mr. Chairman, I desire to offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Minnesota.

The Clerk read as follows:

After line 14, page 22, insert the following:

"That the act entitled 'An act to promote reciprocal trade relations with the Dominion of Canada, and for other purposes,' approved July 26, 1911, and all other acts inconsistent with the provisions of this act, are hereby repealed."

Mr. UNDERWOOD. Mr. Chairman, I make the point of order that this amendment is not germane to this bill. I think it is apparent that it relates to the repealing of an entirely different bill, and has nothing to do with the iron and steel schedule. Under the former rulings of the Chair it seems to me it is out of order.

Mr. STEENERSON. I should like to say a word on that point.

The CHAIRMAN. Does the gentleman desire to be heard on the point of order?

Mr. STEENERSON. I do.

The CHAIRMAN. The gentleman from Minnesota is recognized.

Mr. STEENERSON. Mr. Chairman, although the reciprocity act with Canada has not yet taken effect—

A MEMBER. It can not take effect.

Mr. STEENERSON. Part of it has taken effect, and the remainder of it may take effect whenever Canada passes a law reciprocal in compliance with its terms. That act prescribes different duties from the present bill. For instance, on motor vehicles it prescribes 30 per cent, whereas this bill proposes 40 per cent ad valorem. So if 40 per cent is a revenue duty, we ought to have it on imports from that country, and that act is in conflict with this. We can not very well have two acts imposing different rates on the same article.

Then there is the matter of cutlery. The reciprocity act provides for 27½ per cent, and this provides for 35 per cent, so that there is a lower duty. There are other articles on the free list here that are dutiable there, or dutiable there which are on the free list here, so that there is an absolute conflict.

Mr. UNDERWOOD. I make the point of order that the gentleman is not discussing the point of order.

Mr. STEENERSON. I am discussing it, showing that this bill can not be complete without a section repealing these conflicting laws. It ought not to be left to inference. This amendment perfects the bill. The question is whether it is germane to this bill, and not to the paragraph. This bill can not be a perfect bill without repealing the potential law which is in part in conflict with this law. Therefore, to perfect this bill will require this amendment, and therefore the amendment is germane to the bill.

If this amendment is inserted there will be no difficulty in administering it equally throughout the world; and certainly

you can not have a perfect law without having it operate equally throughout the world. It must be germane. I want to say, too, that if you pass this amendment you will get more votes.

Mr. MANN. Will the gentleman yield?

Mr. STEENERSON. Certainly.

Mr. MANN. This bill provides for rates of duty to be collected the day after it takes effect. Some of the articles enumerated in this bill being some of the articles enumerated in the Canadian reciprocity act, would not this bill constitute in part a repeal of the Canadian reciprocity act?

Mr. STEENERSON. Where the duties are identical?

Mr. MANN. Where the duties are not identical.

Mr. STEENERSON. No; I do not think so, because the reciprocity act takes effect in consideration of something that Canada gives us, and therefore it is taken out of the operation of this act.

Mr. MANN. This being enacted into law subsequent to the date of the Canadian reciprocity law, and containing no exception in its terms, either in this law or in the Payne tariff law, to which this is an amendment, would it not, in fact, repeal to that extent the Canadian reciprocity law, therefore making absolutely in order the amendment offered by the gentleman from Minnesota declaring in express language that which is now implied?

Mr. STEENERSON. It would remove all doubt on the question; and therefore it perfects the bill, and therefore is germane to the bill.

The CHAIRMAN. The rule, as the Chair understands it, requires that all amendments must be germane to the subject matter of the bill where it is of a general character. In the mind of the Chair the proposition embodied in the amendment offered by the gentleman from Minnesota is not germane to the subject matter of the bill. The Chair therefore sustains the point of order.

Mr. STEENERSON. Mr. Chairman, I appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Minnesota appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the committee?

The question was taken, and the Chair announced that the ayes had it.

Mr. STEENERSON. Mr. Chairman, I demand tellers.

Tellers were ordered.

The CHAIRMAN appointed as tellers Mr. STEENERSON and Mr. SHACKLEFORD.

The committee again divided; and the tellers reported that there were 98 ayes and 47 noes.

So the decision of the Chair was sustained as the judgment of the committee.

Mr. MANN. Mr. Chairman, I offer the following amendment as a new section.

The Clerk read as follows:

Amend, page 22, after line 14, by inserting as a new paragraph the following:

"74. The provisions of the preceding paragraph shall not apply to articles imported from any country, dependency, province, colony, or other subdivision of government which imposes any import tax or duty or restrictive regulation upon the importation into such country from the United States of any meats of any kind whatever, whether fresh or preserved in any form, or of flour, live cattle, or cottonseed oil, or which prohibits or restricts in any way the exportation of news-print paper, wood pulp, or pulp wood."

Mr. MANN. Mr. Chairman, the last paragraph read in the bill proposes to admit cash registers, typesetting machines, machine tools, printing presses, sewing machines, typewriters, tar and oil spreading machines free of duty.

The amendment that I propose will, if adopted, keep the duty on goods coming from countries which do not admit the agricultural products which are set out in the amendment. I have heretofore offered amendments to the paragraph itself designed to obtain an enlarged market for our live cattle, for our preserved and fresh meats, for our cottonseed oil, and various other agricultural commodities, and upon every one of these amendments we have had a vote by tellers. On each vote every Republican voting voted in favor of the amendment to extend the markets of our agricultural products, and every Democrat voting voted against extending the markets for our agricultural products. [Applause on the Republican side.]

Upon what reasoning can it be said that we should throw our markets open to the world on these classes of commodities without requiring any exchange in our favor? I am in favor, when we open our markets to manufactures abroad, of obtaining some advantage in favor of our own people in those markets abroad. [Applause on the Republican side.]

I offered an amendment a moment ago that this provision in the bill should not admit free of duty tools or other articles named coming from a country which did not admit, free of duty,

similar articles coming from our country to that country. The gentleman from Alabama [Mr. UNDERWOOD] a few moments ago stated that we were shipping machine tools abroad and paying a duty in foreign countries on those machine tools, and he has proposed in the bill that we admit their machine tools here free of duty. Every Democrat voted against the proposition that we should obtain from the foreign countries the same advantage of freedom from duty on our machine tools going abroad which the gentleman proposed to give to the manufacturers of those tools coming from abroad here, thus violating every principle of international relationship, proposing to open the markets of America to all foreign countries and obtain no additional market for this country. This bill and this paragraph to which I have offered an amendment will not open a single new industry in the United States. It will not gain one advantage to any manufacturer or producer of any commodity in the United States, but gives it all to foreign manufacturers.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes.

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent that all debate on the present amendment offered by the gentleman from Illinois be concluded in 10 minutes, 5 minutes to go to the gentleman from Illinois.

Mr. MANN. Mr. Chairman, I shall have to object to that. This amendment ought to be discussed more at length.

Mr. UNDERWOOD. Mr. Chairman, then I shall object if the gentleman is not willing to agree to my proposition.

Mr. MANN. Mr. Chairman, I am not willing to cut off debate. The gentleman has the power to do so, and he ruthlessly exercises it.

Mr. UNDERWOOD. Mr. Chairman, I have not ruthlessly exercised it. I have offered the gentleman five minutes more.

Mr. MANN. Mr. Chairman, the gentleman wants to give me five minutes and to cut off everybody else. I am unwilling to take that privilege and cut off debate on such an important proposition.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CULLOP. Mr. Chairman, section 73 of the present bill puts cash registers on the free list. That is one of the items to which the gentleman from Illinois [Mr. MANN] has just referred. This is a monopoly, as the record shows. I read from the Moody Manual Service the following history of the condition and growth of this industry:

National Cash Register Co. (The): Incorporated in 1906 in Ohio as successor to National Cash Register Co., organized in 1899 under the laws of New Jersey. The business of the company is the manufacture of cash registers and kindred devices, and the application of its mechanisms to conform to special requirements in the systems of department stores and express, telegraph, and other companies who handle cash and are not retailers. The plant of the company is located at Dayton, Ohio, occupying 140 acres of land, and consists of 14 buildings, having 34 acres of floor space. It employs about 5,100 people at the factory and half as many more salesmen in this and other countries. At the present time there are in use over 675,000 National registers. The company has now an output of about 9,000 machines per month, one-third of which are exported to foreign countries. Value of annual output, \$18,000,000.

Capital stock: Authorized and outstanding, \$9,000,000 common and \$1,000,000 7 per cent cumulative preferred; par, \$100. No bonds. The common stock was increased from \$4,000,000 to \$9,000,000 in September, 1906, and the \$5,000,000 increase was distributed to the common shareholders as a stock dividend. The common stock is entitled to all profits after the payment of 7 per cent on the preferred. William Pfum (at Dayton, Ohio) acts as transfer agent and registrar. Dividends on preferred are paid January and July 15, and on common at discretion of directors, 2 per cent being paid in 1906, 1 per cent in 1907, and 4½ per cent in 1908.

In the Payne bill the Republican Party, for the purpose of protecting labor, the laboring man, levied a duty of 30 per cent on cash registers, of which this company has a monopoly. On the 1st day of April, 1909, four months before the date of the approval of the Payne bill, the National Cash Register Co. published its catalogue of prices in this country and in Great Britain, and I now wish to call attention to them to see whether the Republican Party did right when it levied a duty of 30 per cent in favor of the owner of this monopoly in the United States to see whether it was legislating in favor of the laboring man or in favor of a giant monopoly. This catalogue was published by the National Cash Register Co. and sent broadcast throughout Great Britain on April 1, 1909, and I desire to call attention to the difference in price between the sale of the same machines in the Kingdom of Great Britain and in the United States.

The only difference between the machines used in Great Britain and in this country is in the keys to correspond with the difference in the name and value of the circulating money. More work is required on those in use there than here because

of the more numerous denominations of their money, and hence it requires more work to manufacture those used there. I quote from the catalogue published by the National Cash Register Co. for use there, but not for this country. The catalogue has photographs of the different numbered machines, so there can be no doubt but what they are the same, and here is the difference in price, as follows:

National Cash Register Co. prices as found in its catalogue of April 1, 1909.

FACSIMILE OF ENGLISH PRICES.

Class 400, No. 452, 51 keys; check printing, detail strip; printing and total adding; price £30 net cash (\$150).

Class 400, No. 462, 60 keys, price, £35 net cash (\$170).

Class 400 (total adding and printing), No. 463, 60 keys; slip and sales-strip printer; price, £35 net cash (\$175).

Class 400 (total adding and printing), No. 464, 60 keys; price, £35 net cash (\$175).

Class 400 (total adding and printing), No. 455, 51 keys; detail-strip and check with number printer; price, £35 net cash (\$175).

FACSIMILE OF UNITED STATES PRICES.

No. 452; price, \$300; detail-strip and check printer; 45 keys—36 amount keys, 1 cent to \$99.99; 6 clerk's initial keys; 3 special keys.

No. 452; price, \$350; 54 keys—42 amount keys, 1 cent to \$699.99; 9 clerk's initial keys; 3 special keys.

No. 463; price, \$350; detail-strip and sales-strip printer; 54 keys—42 amount keys, 1 cent to \$699.99; 9 clerk's initial keys; 3 special keys.

No. 464; price, \$350; stub-check printer; 54 keys—42 amount keys, 1 cent to \$699.99; 9 clerk's initial keys; 3 special keys.

No. 455; price, \$325; detail-strip and check with number printer; 45 keys—36 amount keys, 1 cent to \$99.99; 6 clerk's initial keys; 3 special keys.

These are the prices for the foreigner and the prices for the American citizen, yet when the Payne bill was passed a duty of 30 per cent as a protection was given this monopoly when, at the time, it was making this discrimination in prices between our own people and the people of foreign countries. What excuse can anyone give for such legislation? On what hypothesis could it be justified? Will anyone have the courage to attempt it? This bill places cash registers on the free list, and very properly so. Would anyone undertake to claim a duty protecting this manufacture is in behalf of labor? Certainly not, when these machines are sold by the manufacturer at less than half to the foreigner than they are sold to our people.

These prices are taken from the National Cash Register's catalogue, as used in Great Britain, and are used as an advertisement showing inducements why purchasers should buy at once. It was not intended for use in this country, but it found its way here, and from it we reproduce its prices. This ought to be convincing proof to the most ardent standpatter that protection is not for labor but for profit to the manufacturer and to furnish him a safe and secure method to plunder the consumers of this country. It is indefensible, and the people will not longer tolerate its injustice.

This great company, located at Dayton, Ohio, depends upon the American citizen to defend its property in time of danger, support it with patronage, and lend aid to the safe and prosperous conduct of its business; yet depending upon our people for all these, it extorts from them double the price for one of its machines that it requires a foreigner to pay. For this it can furnish no excuse.

Does it need protection when it can make its machines at Dayton, Ohio, pay the freight on them to foreign countries, and sell them for one-half what it sells them to our people at home? If so, upon what basis does it predicate its claim?

Does it need it to pay its laborers' wages? If so, how can it reconcile its conduct in the difference of price? How can its laborers produce machines for foreign trade for one-half the price it requires of home consumers, as they have been doing, if a high duty is needed to enable it to operate? Is not the wage as high to make the machine for foreigners as it is for home consumers? If not, in what respect is the difference? Will some protectionist explain why? A patient public, wronged by the injustice done, requires a satisfactory explanation; it is entitled to it. What difference, if any, exists? They are the same machines, made from the same material, at the same time, and by the same men.

Mr. Chairman, there is none; and the unjust system should be tolerated no longer, and it should be wiped out, and installed in its place a system which will do justice to capital, labor, and consumer all alike and eliminate this species of special privilege. [Applause on the Democratic side.]

Mr. UNDERWOOD. Mr. Chairman, I move to close general debate on the pending amendment and paragraph.

The CHAIRMAN. The gentleman from Alabama moves to close all debate on the pending amendment and—

Mr. MANN. The gentleman from Illinois [Mr. CANNON] wants five minutes.

Mr. UNDERWOOD. I am willing, Mr. Chairman, to ask unanimous consent that debate on this amendment be closed in five minutes and the gentleman from Illinois should control the time.

Mr. MANN. I am not willing to accede unanimous consent to the proposition to close the debate on such an important proposition on which many Members desire to speak.

Mr. UNDERWOOD. I do not wish to be discourteous to the gentleman—

Mr. MANN. I think it is discourteous to refuse the ex-Speaker of the House an opportunity to speak—

Mr. UNDERWOOD. Mr. Speaker, I move to close debate on the pending amendment.

Mr. MANN. It shows the tactics being followed.

The CHAIRMAN. The gentleman from Alabama moves to close debate on the pending amendment.

The question was taken, and the Chair announced the ayes seemed to have it.

Mr. MANN. Mr. Chairman, I ask for a division.

The Committee divided; and there were—ayes 54, noes 54.

Mr. MANN. I ask for tellers, Mr. Chairman.

Tellers were ordered.

The committee again divided; and the tellers (Mr. UNDERWOOD and Mr. AUSTIN) reported that there were—ayes 107, noes 72.

So the motion was agreed to.

Mr. MANN. Mr. Chairman, I offer a further amendment.

The CHAIRMAN. The question is on the pending amendment.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. MANN. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 49, noes 81.

Mr. MANN. Tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois demands tellers. Not a sufficient number—

Mr. MANN. Mr. Chairman, I asked for tellers and the Chair did not ask gentlemen to rise who were in favor of taking a vote by tellers.

The CHAIRMAN. Those who are in favor of taking the vote by tellers will rise and stand until they are counted. Evidently a sufficient number, and tellers are ordered.

The committee again divided; and the tellers (Mr. AUSTIN and Mr. ADAIR) reported that there were—ayes 52, noes 102.

So the amendment was rejected.

Mr. MANN. Mr. Chairman, I offer a further amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 22, after line 14, by inserting as a new paragraph the following:

"74. The provisions of the preceding paragraph shall not apply to articles imported from any country, dependency, province, colony, or other subdivision of government which imposes any import tax or duty or restrictive regulation upon the importation into such country from the United States of any meats of any kind whatever, whether fresh or preserved in any form, or upon flour, live cattle, or cottonseed oil."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois. The Chair recognizes the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Chairman, this is one of a series of amendments offered by the gentleman from Illinois [Mr. MANN]. He offered one amendment to the provisions of this bill which provided that countries which discriminated against our trade should not have the benefit of free trade on the one hand and low duties on the other in our markets, which markets are one-third of the markets of the civilized world. Vote it down! Vote it down! Vote it down! was the cry, followed by the vote of the Democratic majority. Now, if this law goes upon the statute books it would open free of duty our markets to all the world as to many articles, although on similar articles the world does not give us their markets. If this bill is enacted it would open our markets free of duty to the British products, because they have practically free trade upon all these articles. It would let in Germany and France and Austria-Hungary, and every other great producing nation on earth, while they pile upon our agricultural and manufactured products mountain-high duties. And yet, under caucus rule, you Democrats propose to give to them our markets free, although they shut out our products. [Applause on the Republican side.]

And, finally, the gentleman from Pennsylvania [Mr. PALMER], as a concluding argument, to which I referred a little while ago, read that letter about the man from Connecticut returning with his wife from Europe and having to pay \$9 on a dress pattern; and therefore anathema maranatha! I would go further if it were not for profanity. [Laughter.] And he thought on that account the whole tariff system ought to be wiped out.

For one I can stand and vote for this amendment and all similar amendments, for the reason that I am not willing that our cattle, our hogs, and our cottonseed oil, and all the products of our labor, on farms and in factories, shall be shut out of those countries other than England, and which would come in free under this bill as a mere gift. I am willing you should go to the country upon that proposition. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Illinois [Mr. CANNON] has expired.

Mr. CANNON. Mr. Chairman, I ask unanimous consent for five minutes more.

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent that all debate on this paragraph be closed in 10 minutes, 5 minutes to be used by the gentleman from Illinois [Mr. CANNON].

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, I would like to ask if the gentleman from Alabama will not consent that a telegram held by the gentleman from Pennsylvania [Mr. FOCHT] be read?

Mr. UNDERWOOD. Mr. Chairman, I desire to be courteous to that side of the House, but I am going to put this bill through. [Applause on the Democratic side.]

The CHAIRMAN. The gentleman from Alabama [Mr. UNDERWOOD] asks that all debate upon this paragraph close in 10 minutes, 5 minutes of the time to be granted to the gentleman from Illinois [Mr. CANNON]. Is there objection?

There was no objection.

Mr. CANNON. I have listened with much interest to the remarks of the gentlemen on the other side of the House in advocating the passage of this bill, and yet from my standpoint, although they may be for tariff for revenue only, even from that standpoint this bill is indefensible, because, as I say again, you give them a free market or low duties without exacting similar privileges for us. And, mind you, we manufacture and produce in this country one-third as much as is produced in all Europe.

The gentleman from Pennsylvania [Mr. PALMER], eloquent in gesture and in voice, like myself, having a birthright in the Friends' meeting, I do not believe ever got his special pleading in defense of this bill from the old Quaker stock.

Mr. PALMER. Mr. Chairman, I call the gentleman's attention to the significant fact that he has left the Friends' meeting and I have stayed by them.

Mr. CANNON. And yet you will not find 1 per cent of our brother Friends agreeing with you touching economic policies.

I want to ask this plain, simple question: When the imports increase and articles that we now make will not be required in whole or in part, how can it fail to affect our home production?

Upon that bare statement, if this legislation is ever enacted, I denying and you asserting, we will encounter the real thing. Talk is cheap. The proof of the pudding is in the eating of it. I sometimes wish, from the mere political standpoint, that you could enact this legislation. I measure my words when I say "from the mere political standpoint," although there would come trooping disaster upon men who live in the sweat of their faces, affecting their power of consumption and their power of production. And yet from the standpoint of my duty as a Representative in Congress I can not play politics. I stand and by my vote and by my voice will oppose this and all similar legislation. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. UNDERWOOD. Mr. Chairman, the gentleman from Illinois [Mr. CANNON] put one very pertinent proposition to this House, and that was that in placing these articles contained in section 73 on the free list we were putting them there without compensation to our foreign trade; we being excluded, he says, from their markets on these propositions, or being taxed on those articles in their markets; he holding that we should maintain a tax on them in our market. Why? For the benefit of the American manufacturer, in order that he may trade in those articles.

We put them on the free list for the benefit of the American people. [Applause on the Democratic side.] In this schedule, as has been stated before, are sewing machines—sewing machines which the uncontested testimony shows are being sold to the poor people of this country and to the rich and poor alike from \$23 to \$45 a machine, and yet are being laid down, freight paid, in the Orient for \$8.75. And yet the gentleman from Illinois [Mr. CANNON] would ask this Congress, in the name of the manufacturers of the United States, to retain a prohibitive tax on sewing machines and other like articles in order that we might trade for terms in foreign markets for the

benefit of men who have already made millions out of the American people. [Applause on the Democratic side.]

We are not proposing to maintain a prohibitive tax on these articles, a tax that enables monopolies to stand behind a tariff wall and gouge out of the hard-earned salaries of American laborers the profits that those monopolies have made in the last 20 and 40 years under the prohibitive tariff that the gentlemen on that side of the House have maintained on the statute books. [Applause on the Democratic side.]

The gentleman from Illinois may contend that we ought to barter and trade in articles of this kind, but I say to him when we barter and trade in the real necessities of the American people, we are bartering and trading in the life blood of poverty. [Applause on the Democratic side.]

We are not ashamed to go to the American people and say that when an article is manufactured in this country so cheaply and so successfully that it can compete in all the markets of the world we are willing to place it on the free list for the benefit of our own people, and not maintain a prohibitive tariff in the interest of dollars—all of which have not been honestly earned. [Applause on the Democratic side.]

Mr. HILL. Mr. Chairman, I have been out and I do not know what the situation is. What is it?

Mr. MANN. They have gagged us, and we can not talk. [Laughter.]

Mr. UNDERWOOD. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The time of the gentleman from Alabama has expired. All time has expired. The debate has closed upon the pending amendment.

Mr. FOCHT. Mr. Chairman, I desire to strike out the last word.

Mr. MANN. It is not debatable.

The CHAIRMAN. All debate has closed upon the pending amendment, and the question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the Chair announced that the yeas seemed to have it.

Mr. MANN. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 70, yeas 107.

Mr. MANN. I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. AUSTIN and Mr. REILLY.

The committee again divided; and the tellers reported—ayes 65, yeas 108.

Accordingly the amendment was rejected.

Mr. MANN. Mr. Chairman, I offer a further amendment, as a new paragraph.

The CHAIRMAN. The gentleman from Illinois offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Amend page 22 by inserting after line 14, as a new paragraph, the following:

"74. The goods, wares, articles, and merchandise mentioned in the last preceding paragraph, when manufactured wholly or in part in any foreign country by convict labor, shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited."

Mr. UNDERWOOD. Mr. Chairman, I make the point of order that that is not germane to the paragraph.

The CHAIRMAN. The gentleman from Alabama makes the point of order that the amendment is not germane.

Mr. MANN. I should like to be heard on the point of order.

Mr. UNDERWOOD. The Chair has already ruled on that point of order on Saturday.

Mr. MANN. The Chair has not ruled on this point of order at all.

Mr. UNDERWOOD. Exactly the same amendment.

The CHAIRMAN. The Chair will hear the gentleman from Illinois briefly on the point of order.

Mr. MANN. The gentleman is mistaken as to what question the Chair ruled upon.

The CHAIRMAN. The Chair will hear the gentleman from Illinois briefly.

Mr. MANN. The law now provides for an import duty upon the articles mentioned in paragraph 73. Paragraph 73 proposes to admit those articles free of duty. My amendment proposes that the articles named in the paragraph shall not be admitted at all if made in whole or in part by convict labor. The bill proposing to remove from the dutiable list articles now upon the dutiable list and admit them free of duty, it certainly is germane to say that those articles shall not be admitted at all when made by convict labor. The Payne law, passed by a Republican Congress, now provides that these articles shall not be admitted at all when made by convict labor. Will it be claimed that under the rules of the House you can provide, under the guise of admitting them free of duty, that they shall

be admitted when made by convict labor, and that an amendment prohibiting their importation when made by convict labor is obnoxious to the rule? If those be the rules of a Democratic House, let me advise the country to take the rules of a Republican House, which permitted the introduction into the bill of this precise proposition to keep out convict-made goods. [Applause on the Republican side.]

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

SEC. 2. That on and after the day following the passage of this act all goods, wares, and merchandise previously imported and hereinbefore enumerated, described, and provided for, for which no entry has been made, and all such goods, wares, and merchandise previously entered without payment of duty and under bond for warehousing, transportation, or any other purpose, for which no permit of delivery to the importer or his agent has been issued, shall be subjected to no other duty upon the entry or withdrawal thereof than the duty which would be imposed if such goods, wares, or merchandise were imported on or after that date.

Several Members rose.

Mr. UNDERWOOD. Mr. Chairman, I move that the committee do now rise, and report the bill with amendment to the House, with the recommendation that the bill as amended do pass.

Mr. HILL. I make the point of order—

Mr. MANN. It is in order to offer amendments to the section.

Mr. HILL. That was the point of order I was going to make.

Mr. UNDERWOOD. I insist on my motion.

The CHAIRMAN. The gentleman from Alabama moves that the committee do now rise and report the bill back to the House with an amendment, and with the recommendation that the amendment be agreed to, and that the bill as amended do pass.

Mr. MANN. I ask recognition to offer an amendment to the section.

Mr. UNDERWOOD. Mr. Chairman, I insist on the regular order.

Mr. MANN. That is the regular order. I ask for recognition to offer an amendment to the section.

Mr. HILL. I make the point of order that I have a right to offer an amendment to this section.

Mr. GARNER. Not unless the gentleman gets the floor. It is a question of recognition.

The CHAIRMAN. The question is on the motion of the gentleman from Alabama [Mr. UNDERWOOD]; who is in control of the bill.

Mr. MANN. But I make the point of order that that motion is not in order as long as any gentleman asks recognition to offer an amendment to the paragraph or the section.

Mr. UNDERWOOD. Mr. Chairman, it is clearly in the power of the committee to do what it pleases.

Mr. MANN. Oh, no; it is not. The rules provide about this.

The CHAIRMAN. The Chair overrules the point of order.

Mr. MANN. I appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] appeals from the decision of the Chair. The question is—

Mr. CANNON. I desire to be heard on the appeal.

Mr. UNDERWOOD. Mr. Chairman, I make the point of order that the point of order is dilatory.

Mr. MANN. That is not the case at all.

Mr. UNDERWOOD. It is dilatory.

Mr. CANNON. The appeal is not dilatory.

The CHAIRMAN. The Chair has overruled the point of order and the gentleman from Illinois appeals from the decision of the Chair.

Mr. UNDERWOOD. I make the point of order that the appeal is dilatory.

Mr. MANN. The appeal is not dilatory. If the Chair wants to have his ruling sustained in that way, it is within the power of the Chair.

Mr. CANNON. Mr. Chairman, I am informed and believe that there are amendments in the hands of two or three Members that are not offered as dilatory amendments, but are offered in good faith, for the consideration of this great Committee of the Whole.

Mr. FOCHT. I was on my feet, Mr. Chairman, asking for recognition to offer an amendment.

The CHAIRMAN. The Chair sustains the point of order made by the gentleman from Alabama on the ground that the appeal is dilatory.

Mr. MANN. Mr. Chairman, we could not understand the ruling of the Chair owing to the confusion in the House. Does the Chair hold that the gentlemen desiring to offer amendments on the last section of the bill are not entitled to recognition for that purpose prior to recognizing a Member to move that the committee rise and report the bill favorably?

The CHAIRMAN. That was not the question. The gentleman from Alabama made a motion that the committee do now rise and report the bill to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill pass. [Cries of "Regular order!"]

Mr. MANN. That is the most outrageous ruling ever made by the Chair, and a violation of law and precedent.

Mr. CANNON. Mr. Chairman, I move that the House do now adjourn.

The CHAIRMAN. The Chair holds that a motion to adjourn in the Committee of the Whole House on the state of the Union is not in order.

Mr. CANNON. And the Chair is perfectly correct for the first time in the last 10 minutes. [Laughter.]

The CHAIRMAN. The question is on the motion of the gentleman from Alabama that the committee do now rise. [Cries of "Division!" and "Tellers!"]

Mr. MANN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. PALMER and Mr. AUSTIN.

The committee divided; and the tellers reported that there were 111 ayes and 87 noes.

So the motion that the committee rise prevailed.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FLOYD of Arkansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 18642) to amend an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909, and had directed him to report the bill back with an amendment, with the recommendation that the amendment be agreed to, and that the bill as amended do pass.

Mr. UNDERWOOD. Mr. Speaker, I move the previous question on the bill and amendment to the final passage of the bill.

Mr. MANN. And on that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 195, nays 116, answered "present" 8, not voting 72, as follows:

YEAS—195.

Adair	Difenderfer	Jacoway	Reilly
Adamson	Dixon, Ind.	James	Richardson
Aiken, S. C.	Doremus	Johnson, Ky.	Roddenbery
Akin, N. Y.	Doughton	Jones	Rothermel
Alexander	Driscoll, D. A.	Kindred	Ruby
Allen	Edwards	Kitchin	Rucker, Mo.
Anderson, Ohio	Ellerbe	Konig	Russell
Ansberry	Evans	Konop	Saunders
Ashbrook	Faison	Korby	Scully
Ayres	Fergusson	Lamb	Shackelford
Barnhart	Ferris	Lee, Ga.	Sharp
Bartlett	Finley	Lee, Pa.	Sheppard
Bathrick	Fitzgerald	Legare	Sherley
Beall, Tex.	Flood, Va.	Lever	Sherwood
Bell, Ga.	Floyd, Ark.	Levy	Sims
Berger	Fornes	Lewis	Sisson
Blackmon	Foster, Ill.	Lindbergh	Slayden
Boehne	Fowler	Linthicum	Smith, N. Y.
Booher	Gallagher	Littlepage	Smith, Tex.
Borland	Garner	Littleton	Stanley
Brantley	Garrett	Lloyd	Stedman
Brown	Glass	Lobeck	Stephens, Miss.
Buchanan	Godwin, N. C.	McCoy	Stephens, Nebr.
Bulkley	Goeke	McDermott	Stephens, Tex.
Burke, Wis.	Goldfogle	McGilliuddy	Stone
Burleson	Goodwin, Ark.	McHenry	Sulzer
Burnett	Gould	Macon	Sweet
Byrnes, S. C.	Gregg, Pa.	Maguire, Nebr.	Talcott, N. Y.
Byrns, Tenn.	Gregg, Tex.	Martin, Colo.	Taylor, Ala.
Callaway	Gudger	Mays	Taylor, Colo.
Cantrill	Hamill	Moon, Tenn.	Thayer
Carlin	Hamilton, W. Va.	Moore, Tex.	Thomas
Carter	Hamlin	Morrison	Townsend
Clayton	Hammond	Moss, Ind.	Tribble
Cline	Hardwick	Murray	Turnbull
Collier	Hardy	Nelson	Tuttle
Conry	Harrison, Miss.	Oldfield	Underhill
Covington	Hay	O'Shaunessy	Underwood
Cravens	Heflin	Padgett	Warburton
Cullop	Helgesen	Page	Watkins
Curley	Helm	Palmer	Webb
Daugherty	Henry, Tex.	Patten, N. Y.	Whitacre
Davenport	Hensley	Pepper	White
Davis, Minn.	Hobson	Peters	Wickliffe
Davis, W. Va.	Holland	Pou	Wilson, N. Y.
Denver	Hughes, Ga.	Rainey	Wilson, Pa.
Dickinson	Hughes, N. J.	Raker	Witherspoon
Dickson, Miss.	Hull	Randall, Tex.	Young, Tex.
Dies	Humphreys, Miss.	Rauch	

NAYS—116.

Ames	Burke, S. Dak.	Crago	Dyer
Anderson, Minn.	Butler	Currier	Esch
Anthony	Calder	Curry	Fairchild
Austin	Campbell	Danforth	Farr
Bates	Cannon	Dodds	Focht
Bowman	Catlin	Draper	Foss
Bradley	Cooper	Driscoll, M. E.	Foster, Vt.
Browning	Copley	Dwight	French

Fuller	Humphrey, Wash.	Martin, S. Dak.	Smith, Saml. W.
Gardner, N. J.	Jackson	Miller	Speer
Gillett	Kerdall	Mondell	Steenerson
Good	Kennedy	Moore, Pa.	Stephens, Cal.
Gray	Kopp	Morgan	Sterling
Green, Iowa	Lafean	Morse, Wis.	Stevens, Minn.
Greene, Mass.	Lafferty	Mott	Sulloway
Griest	La Follette	Murdock	Switzer
Guernsey	Lawrence	Norris	Tilson
Hamilton, Mich.	Lenroot	Patton, Pa.	Towner
Harris	Longworth	Payne	Utter
Haugen	Loud	Pickett	Volstead
Hawley	McCall	Porter	Vreeland
Hayes	McCreary	Powers	Wedemeyer
Heald	McGuire, Okla.	Pray	Wildor
Henry, Conn.	McKenzie	Prince	Willis
Higgins	McKinley	Prouty	Wilson, Ill.
Hill	McKinney	Reyburn	Wood, N. J.
Hinds	McLaughlin	Roberts, Nev.	Woods, Iowa
Howell	McMorran	Sloan	Young, Kans.
Hubbard	Mann	Smith, J. M. C.	Young, Mich.

ANSWERED "PRESENT"—8.

Andrus	Clark, Fla.	Moon, Pa.	Rodenberg
Candler	Donohoe	Parran	Sparkman

NOT VOTING—72.

Ainey	Estopinal	Kinkaid, N. J.	Rees
Barchfeld	Fields	Knowland	Riordan
Bartholdt	Fordney	Langham	Roberts, Mass.
Bingham	Francis	Langley	Robinson
Broussard	Gardner, Mass.	Lindsay	Rouse
Burgess	George	McKellar	Rucker, Colo.
Burke, Pa.	Graham	Madden	Sabath
Cary	Hanna	Maher	Sells
Claypool	Harrison, N. Y.	Malby	Simmons
Connell	Hartman	Matthews	Slemp
Cox, Ind.	Houston	Needham	Small
Cox, Ohio	Howard	Nye	Smith, Cal.
Crumpacker	Howland	Olmsted	Stack
Dalzell	Hughes, W. Va.	Plumley	Taggart
Davidson	Johnson, S. C.	Post	Talbott, Md.
De Forest	Kahn	Pujo	Taylor, Ohio
Dent	Kent	Ransdell, La.	Thistlewood
Dupre	Kinkaid, Nebr.	Redfield	Weeks

So the previous question was ordered.

The Clerk announced the following pairs:

For the session:

Mr. RIORDAN with Mr. ANDRUS.

Until further notice:

Mr. KINKAID of New Jersey with Mr. HANNA.

Mr. RUCKER of Colorado, for the bill, with Mr. NEEDHAM, against.

Mr. CONNELL, for the bill, with Mr. DALZELL, against.

Mr. CLARK of Florida with Mr. SIMMONS.

Mr. SPARKMAN with Mr. DAVIDSON.

Mr. SABATH, for the bill, with Mr. GARDNER of Massachusetts, against.

Mr. DENT with Mr. KAHN.

Mr. FIELDS with Mr. LANGLEY.

Mr. TALBOTT of Maryland with Mr. PARRAN.

Mr. MCKELLAR, in favor of the bill, with Mr. MALBY, against.

Mr. SMALL with Mr. RODENBERG.

Mr. LINDSAY with Mr. SLEMP.

Mr. CANDLER with Mr. BARCHFELD.

Mr. COX of Indiana with Mr. DE FOREST.

Mr. ROBINSON with Mr. BURKE of Pennsylvania.

Mr. ROUSE, for the bill, with Mr. OLMSTED, against.

Mr. HOWARD with Mr. ROBERTS of Massachusetts.

Mr. REDFIELD, for steel bill, with Mr. PLUMLEY, against.

Mr. TAGGART with Mr. THISTLEWOOD.

Mr. STACK with Mr. NYE.

Mr. RANSDELL of Louisiana with Mr. MATTHEWS.

Mr. POST with Mr. LANGHAM.

Mr. MAHER with Mr. KNOWLAND.

Mr. JOHNSON of South Carolina with Mr. HARTMAN.

Mr. GRAHAM with Mr. FORDNEY.

Mr. GEORGE with Mr. CRUMPACKER.

Mr. FRANCIS with Mr. SELLS.

Mr. ESTOPINAL with Mr. BINGHAM.

Mr. PUJO with Mr. SMITH of California.

Mr. CLAYPOOL with Mr. BARTHOLDT.

Mr. BROUSSARD with Mr. AINEY.

On the vote:

Mr. HOUSTON, for the bill, with Mr. MOON of Pennsylvania, against.

From January 29 until Wednesday noon:

Mr. DUPRE, for steel bill, with Mr. HOWLAND, against.

From January 27 ending Wednesday, inclusive:

Mr. COX of Ohio with Mr. TAYLOR of Ohio.

From January 24 until February 1:

Mr. BURGESS with Mr. WEEKS.

From January 29 ending February 3, inclusive:

Mr. HARRISON of New York with Mr. MADDEN.

Mr. FRANCIS. Mr. Speaker, I desire to inquire if I am recorded?

The SPEAKER. The gentleman is not recorded.

Mr. FRANCIS. I would like to vote.

The SPEAKER. Was the gentleman present in the Hall and listening when his name was called?

Mr. FRANCIS. I did not know. I did not hear my name called. I was going in and out of the Chamber.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the amended bill.

The question was taken; and the bill as amended was ordered to be engrossed and read a third time and was read the third time.

Mr. PAYNE. Mr. Speaker, I offer the following motion to recommit the bill, which motion I send to the desk and ask to have read.

The Clerk read as follows:

I move to recommit the bill H. R. 18642 to the Committee on Ways and Means, with instructions to that committee to hold the bill in the committee until the Tariff Board shall make report of the information secured by the special and complete investigation now being made by said Tariff Board in regard to the manufacture, use, and consumption of the articles included in Schedule C, and to report said bill back to the House with such provisions and amendments as the committee may deem proper after examination and consideration of the information so reported by that Tariff Board.

Mr. PAYNE. Mr. Speaker, on that I demand the previous question.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit. Mr. MANN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 106, nays 207, answered "present" 8, not voting 70, as follows:

YEAS—106.

Ames	Farr	Kinkaid, Nebr.	Prouty
Anthony	Focht	Knowland	Reyburn
Austin	Foss	Kopp	Roberts, Nev.
Bates	Foster, Vt.	Lawrence	Sloan
Bowman	French	Longworth	Smith, J. M. C.
Bradley	Fuller	Loud	Smith, Saml. W.
Browning	Gardner, N. J.	McCall	Speer
Burke, S. Dak.	Gillett	McCreary	Steenerson
Butler	Good	McGuire, Okla.	Stevens, Cal.
Calder	Green, Iowa	McKenzie	Sterling
Campbell	Greene, Mass.	McKinley	Stevens, Minn.
Cannon	Griest	McKinney	Sulloway
Catlin	Guernsey	McLaughlin	Switzer
Cooper	Hamilton, Mich.	McMorran	Tilson
Copley	Harris	Mann	Towner
Crago	Hawley	Martin, S. Dak.	Utter
Crumpacker	Hayes	Miller	Vreeland
Currier	Heald	Moore, Pa.	Wedemeyer
Curry	Henry, Conn.	Morgan	Wildor
Danforth	Higgins	Mott	Willis
Dodds	Hill	Payne	Wilson, Ill.
Draper	Hinds	Porter	Wood, N. J.
Driscoll, M. E.	Howell	Pickett	Woods, Iowa
Dwight	Humphrey, Wash.	Porter	Young, Kans.
Dyer	Jackson	Powers	Young, Mich.
Esch	Kendall	Pray	
Fairchild	Kennedy	Prince	

NAYS—207.

Adair	Cantrill	Fitzgerald	Heim
Adamson	Carlil	Flood, Va.	Henry, Tex.
Aiken, S. C.	Carter	Floyd, Ark.	Hensley
Akin, N. Y.	Clayton	Fornes	Hobson
Alexander	Cline	Foster, Ill.	Holland
Allen	Collier	Fowler	Hubbard
Anderson, Minn.	Conry	Francis	Hughes, Ga.
Anderson, Ohio	Covington	Gallagher	Hughes, N. J.
Ansberry	Cravens	Garner	Hull
Ashbrook	Cullop	Garrett	Humphreys, Miss.
Ayres	Curley	Glass	Jacoway
Barnhart	Daugherty	Gedwin, N. C.	James
Bartlett	Davenport	Goeke	Johnson, Ky.
Bathrick	Davis, Minn.	Goldfogle	Johnson, S. C.
Beall, Tex.	Davis, W. Va.	Goodwin, Ark.	Jones
Bell, Ga.	Denver	Gould	Kindred
Berger	Dickinson	Gray	Kitchin
Blackmon	Dickson, Miss.	Gregg, Pa.	Konig
Boehne	Dies	Gregg, Tex.	Konop
Booher	Difenderfer	Gudger	Korbly
Borland	Dixon, Ind.	Hamill	Lafferty
Brantley	Doremus	Hamilton, W. Va.	La Follette
Brown	Doughton	Hamlin	Lamb
Buchanan	Driscoll, D. A.	Hammond	Lee, Ga.
Bulkley	Edwards	Hardwick	Lee, Pa.
Burke, Wis.	Ellerbe	Hardy	Legare
Burleson	Evans	Harrison, Miss.	Lenroot
Burnett	Falson	Haugen	Lever
Byrnes, S. C.	Fergusson	Hay	Levy
Byrns, Tenn.	Ferris	Hefflin	Lewis
Callaway	Finley	Helgesen	Lindbergh

Linthicum	Norris	Saunders	Taylor, Colo.
Littlepage	Oldfield	Scully	Thayer
Littleton	O'Shaunessy	Shackelford	Thomas
Lloyd	Padgett	Sharp	Townsend
Lobeck	Page	Sheppard	Tribble
McCoy	Palmer	Sherley	Turnbull
McDermott	Patten, N. Y.	Sherwood	Tuttle
McGillcuddy	Pepper	Sims	Underhill
McHenry	Peters	Sisson	Underwood
Macon	Pou	Slayden	Volstead
Maguire, Nebr.	Rainey	Smith, N. Y.	Warburton
Martin, Colo.	Raker	Smith, Tex.	Watkins
Mays	Randell, Tex.	Stedman	Webb
Moon, Tenn.	Rauch	Stephens, Nebr.	Whitacre
Moore, Tex.	Reilly	Stephens, Miss.	White
Morrison	Richardson	Stephens, Tex.	Wickliffe
Morse, Wis.	Roddenberry	Stone	Wilson, N. Y.
Moss, Ind.	Rothermel	Sulzer	Wilson, Pa.
Murdock	Rubey	Sweet	Witherspoon
Murray	Rucker, Mo.	Talcott, N. Y.	Young, Tex.
Nelson	Russell	Taylor, Ala.	

ANSWERED "PRESENT"—8.

Andrus	Candler	Donohoe	Moon, Pa.
Burgess	Clark, Fla.	Lafean	Weeks

NOT VOTING—70.

Ainey	Fordney	Madden	Rodenberg
Barchfeld	Gardner, Mass.	Maher	Rouse
Bartholdt	George	Malby	Rucker, Colo.
Bingham	Graham	Matthews	Sabath
Broussard	Hanna	Needham	Sells
Burke, Pa.	Harrison, N. Y.	Nye	Simmons
Cary	Hartman	Olmsted	Slemp
Claypool	Houston	Parran	Small
Connell	Howard	Plumley	Smith, Cal.
Cox, Ind.	Howland	Post	Sparkman
Cox, Ohio	Hughes, W. Va.	Pujo	Stack
Dalzell	Kahn	Randsdell, La.	Stanley
Davidson	Kent	Redfield	Taggart
De Forest	Kinkad, N. J.	Rees	Talbott, Md.
Dent	Langham	Riordan	Taylor, Ohio
Dupre	Langley	Roberts, Mass.	Thistlewood
Estopinal	Lindsay	Robinson	
Fields	McKellar		

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. STANLEY with Mr. LAFEAN.

Mr. GEORGE with Mr. HUGHES of West Virginia.

The result of the vote was announced as above recorded.

The SPEAKER. The question is, Shall the amended bill pass?

Mr. UNDERWOOD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 212, nays 110, answered "present" 8, not voting 62, as follows:

YEAS—212.

Adair	Edwards	Jones	Relly
Adamson	Ellerbe	Kent	Richardson
Aiken, S. C.	Evans	Kindred	Riordan
Akin, N. Y.	Faison	Kinkaid, Nebr.	Roddenberry
Alexander	Ferguson	Kitchin	Rothermel
Allen	Ferris	Konig	Rubey
Anderson, Ohio	Finley	Konop	Rucker, Mo.
Ansberry	Fitzgerald	Korbly	Russell
Ashbrook	Flood, Va.	Lafferty	Saunders
Ayres	Floyd, Ark.	La Follette	Scully
Barnhart	Fornes	Lamb	Shackelford
Bartlett	Foster, Ill.	Lee, Ga.	Sharp
Bathrick	Fowler	Lee, Pa.	Sheppard
Beall, Tex.	Francis	Legare	Sherley
Bell, Ga.	Gallagher	Lenroot	Sherwood
Berger	Garner	Lever	Sims
Blackmon	Garrett	Levy	Sisson
Boehne	Glass	Lewis	Slayden
Booher	Godwin, N. C.	Lindbergh	Sloan
Boorland	Goeke	Linthicum	Smith, N. Y.
Brantley	Goldfogle	Littlepage	Smith, Tex.
Brown	Goodwin, Ark.	Lloyd	Stanley
Buchanan	Gould	Lobeck	Stedman
Bulkley	Gray	McCoy	Stephens, Cal.
Burke, Wis.	Gregg, Pa.	McDermott	Stephens, Miss.
Burleson	Gregg, Tex.	McGillcuddy	Stephens, Nebr.
Burnett	Gudger	McHenry	Stephens, Tex.
Byrnes, S. C.	Hamill	Macon	Stone
Byrns, Tenn.	Hamilton, W. Va.	Maguire, Nebr.	Sulzer
Callaway	Hamlin	Mays	Sweet
Cantrill	Hammond	Moon, Tenn.	Talcott, N. Y.
Carlin	Hardwick	Moore, Tex.	Taylor, Ala.
Carter	Hardy	Morrison	Thayer
Clayton	Harrison, Miss.	Morse, Wis.	Thomas
Cline	Haugen	Moss, Ind.	Townsend
Collier	Hay	Murdock	Tribble
Conry	Hefflin	Murray	Turnbull
Covington	Helgesen	Nelson	Tuttle
Cravens	Helm	Norris	Underhill
Cullop	Henry, Tex.	Oldfield	Underwood
Curley	Hensley	O'Shaunessy	Warburton
Davenport	Hobson	Padgett	Watkins
Davis, Minn.	Holland	Page	Webb
Davis, W. Va.	Hubbard	Palmer	Whitacre
Denver	Hughes, Ga.	Patten, N. Y.	White
Dickinson	Hughes, N. J.	Pepper	Wickliffe
Dickson, Miss.	Hull	Peters	Wilson, N. Y.
Dies	Humphreys, Miss.	Pou	Wilson, Pa.
Difenderfer	Jackson	Rainey	Witherspoon
Dixon, Ind.	Jacoway	Raker	Woods, Iowa
Doremus	James	Randell, Tex.	Young, Kans.
Doughton	Johnson, Ky.	Rauch	Young, Tex.
Driscoll, D. A.	Johnson, S. C.		The Speaker

NAYS—110.

Ames	Fairchild	Kopp	Prince
Anderson, Minn.	Farr	Lafean	Prouty
Andrus	Focht	Lawrence	Reyburn
Anthony	Foss	Longworth	Roberts, Nev.
Austin	Foster, Vt.	Loud	Rucker, Colo.
Bates	French	McCall	Smith, J. M. C.
Bowman	Fuller	McCreary	Smith, Saml. W.
Bradley	Gardner, N. J.	McGuire, Okla.	Speer
Browning	Gillett	McKenzie	Steenerson
Burke, S. Dak.	Good	McKinley	Sterling
Butler	Greene, Iowa	McKinney	Stevens, Minn.
Calder	Greene, Mass.	McLaughlin	Sulloway
Campbell	Griest	McMorran	Switzer
Cannon	Guernsey	Mann	Taylor, Colo.
Catlin	Hamilton, Mich.	Martin, Colo.	Thistlewood
Cooper	Harris	Martin, S. Dak.	Tilson
Copley	Hawley	Matthews	Towner
Crago	Hayes	Miller	Utter
Crumpacker	Heald	Mondell	Volstead
Currier	Henry, Conn.	Moore, Pa.	Vreeland
Curry	Higgins	Morgan	Wedemeyer
Danforth	Hill	Mott	Wilder
Dodds	Hinds	Patton, Pa.	Willis
Draper	Howell	Payne	Wilson, Ill.
Driscoll, M. E.	Humphrey, Wash.	Pickett	Wood, N. J.
Dwight	Kendall	Porter	Young, Mich.
Dyer	Kennedy	Powers	
Esch	Knowland	Pray	

ANSWERED "PRESENT"—8.

Burgess	Clark, Fla.	Donohoe	Parran
Candler	Daugherty	Moon, Pa.	Weeks

NOT VOTING—62.

Ainey	Estopinal	Langley	Robinson
Barchfeld	Fields	Lindsay	Rodenberg
Bartholdt	Fordney	McKellar	Rouse
Bingham	Gardner, Mass.	Madden	Sabath
Broussard	George	Maher	Sells
Burke, Pa.	Graham	Malby	Simmons
Cary	Hanna	Needham	Slemp
Claypool	Harrison, N. Y.	Nye	Small
Connell	Hartman	Olmsted	Smith, Cal.
Cox, Ind.	Houston	Plumley	Sparkman
Cox, Ohio	Howard	Post	Stack
Dalzell	Howland	Pujo	Taggart
Davidson	Hughes, W. Va.	Randsdell, La.	Talbott, Md.
De Forest	Kahn	Redfield	Taylor, Ohio
Dent	Kinkad, N. J.	Rees	
Dupre	Langham	Roberts, Mass.	

The SPEAKER. The Clerk will call my name.

The name of Mr. CLARK of Missouri was called, and he voted "aye."

So the bill was passed.

The Clerk announced the following additional pair:

Until further notice:

Mr. MAHER with Mr. NEEDHAM.

The result of the vote was announced as above recorded.

On motion of Mr. UNDERWOOD, a motion to reconsider the vote by which the bill was passed was laid upon the table.

PENSION APPROPRIATION BILL.

Mr. BARTLETT, from the Committee on Appropriations, reported the bill (H. R. 18985) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1913, and for other purposes (H. Rept. 279), which was ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

Mr. BARTLETT. Mr. Speaker, I desire to give notice that I shall endeavor to call up this bill to-morrow or as soon thereafter as possible.

LEAVE TO PRINT.

Mr. AUSTIN. Mr. Speaker, I ask permission to print in the RECORD as a part of my remarks a letter with accompanying resolutions of the Young Men's Business Exchange of Knoxville, Tenn.

The SPEAKER. Is there objection?

There was no objection.

The letter and accompanying resolutions are as follows:

JANUARY 26, 1912.

HON. R. W. AUSTIN, M. C.,
Washington, D. C.

DEAR SIR: I have your letter with reference to the action of this organization on the proposed free importation of iron ores, and beg to assure you of the sincere and hearty appreciation of the people of this section of the country on your position opposing such legislation.

The resolution passed by the unanimous vote of the members of this exchange at a recent meeting is set out in full below. Remember that this organization is composed of over 600 progressive and prosperous Knoxville business men, as many of whom are Democrats as are Republicans. The resolution itself was introduced and seconded with hearty speeches by Democratic members.

Here it is:

"Resolved, That it is the sense of the Young Business Men's Exchange that we condemn the proposed schedules of that committee of Congress which has recently reported on a tariff schedule for iron ore and manufactured steel and iron products; be it further

"Resolved, That we favor a reduction in the present tariffs on manufactured steel and iron; but be it

"Resolved, That we, as citizens of Knoxville, Tenn., desirous of seeing the latent resources of the Appalachian region developed in their en-

tirety, feel that if Congress accepts or adopts the report of that committee permitting free iron ores to be imported into the United States that an irreparable injury will be done this section of the country and that the opportunities for the development of this region will be totally lost; and be it further

Resolved, That the secretary of this exchange is hereby instructed and directed to at once communicate to the 10 Representatives in Congress and the 2 Senators from the State of Tennessee, urging upon them the importance and necessity of voting down any such tariff legislation as is herein condemned.

The above is a true copy of the resolution as passed by the unanimous vote of the exchange.

Very truly, yours,

KARL ED STEINMETZ, *Secretary*.

Mr. FARR. Mr. Speaker, I would like a similar privilege.

The SPEAKER. The gentleman from Pennsylvania [Mr. FARR] makes a similar request. Is there objection?

There was no objection.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that all gentlemen who have spoken on the metal schedule may have the privilege for five legislative days of extending their remarks in the RECORD.

The SPEAKER. The gentleman from Alabama asks unanimous consent that all gentlemen who spoke on the metal schedule have five legislative days in which to extend their remarks.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. For the information of the House, would that limit the time allowed in which to extend remarks where gentlemen already have obtained leave?

The SPEAKER. It would not, in the judgment of the Chair. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

CIVIL GOVERNMENT IN THE PHILIPPINE ISLANDS.

Mr. JONES. Mr. Speaker, I am directed by the Committee on Insular Affairs to report, with a favorable recommendation, the bill (H. R. 17756) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes" (H. Rept. 280), which has been referred to that committee. I also submit, Mr. Speaker, the independent views of two members of the committee, Mr. MORSE of Wisconsin and Mr. DAVIS of Minnesota, and ask that they be printed with the report.

Mr. MANN. Is this a privileged bill?

Mr. JONES. I desire to ask that the minority of the committee may be given five legislative days in which to file their minority views.

Mr. MANN. I do not understand that this is a privileged bill. It goes into the basket.

The SPEAKER. The Chair does not really know what it is.

Mr. JONES. It is not a privileged bill. I am simply making a report from the Committee on Insular Affairs and asking that the minority be given five legislative days in which to file their minority views.

Mr. MANN. I have no objection to that.

The SPEAKER. The report will be made through the basket. The request of the gentleman from Virginia [Mr. JONES] is—

Mr. JONES. That the views of Mr. MORSE of Wisconsin and Mr. DAVIS of Minnesota may be printed along with the report that I have filed. There is a minority report.

The SPEAKER. The gentleman from Virginia asks that the minority report (H. Rept. 280, pt. 2), be printed along with the report of the majority—

Mr. MANN. And that the minority be given—

The SPEAKER. Five legislative days in which to print their views. Is there objection?

There was no objection.

SWEARING IN OF A MEMBER.

The SPEAKER laid before the House the following certificate of election:

CERTIFICATE OF ELECTION.

THE STATE OF KANSAS.

To all to whom these presents shall come, greeting:

I, Charles H. Sessions, secretary of state for the State of Kansas, do hereby certify that the State canvassing board, from the legal returns of the special election held on the 9th day of January, 1912, now on file and recorded in this office, after due examination thereof, as provided by law, did determine and declare that GEORGE A. NEELEY was duly elected to the office of Representative of the seventh congressional district of the State of Kansas for the term ending March 4, A. D. 1913.

Witness my hand and seal.

[SEAL.]

CHAS. H. SESSIONS,
Secretary of State.

Done at the city of Topeka this 22d day of January, 1912.

Mr. NEELEY appeared before the bar of the House and took the oath of office.

ORDER OF BUSINESS.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask that tomorrow be set aside for the consideration of bills from the Committee on the District of Columbia.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that to-morrow be set aside for the consideration of District of Columbia business.

Mr. MANN. May I ask the gentleman, so that the House may have the information, whether it is likely that it will occupy the whole afternoon to-morrow?

Mr. JOHNSON of Kentucky. I can not say, Mr. Speaker. I contemplate calling up two bills on which there should be little, or no discussion.

The SPEAKER. Is there objection?

There was no objection.

WHITE EARTH INDIAN RESERVATION, MINN.

Mr. STEENERSON. Mr. Speaker, I rise to a question of privilege, and ask unanimous consent to address the House for 30 minutes.

The SPEAKER. The gentleman from Minnesota [Mr. STEENERSON] rises to a question of privilege and asks unanimous consent to address the House for 30 minutes. Is there objection?

Mr. FITZGERALD. What is it, Mr. Speaker? If the gentleman has a question of privilege, he does not need unanimous consent.

The SPEAKER. The Chair understands that is so under the rules, but the Chair can not inform the gentleman whether it is a question of privilege or whether the gentleman has any.

Mr. UNDERWOOD. Mr. Speaker, unless the request of the gentleman from Minnesota [Mr. STEENERSON] is immediate and relates to him personally, I hope the gentleman will let it go over until to-morrow. Of course I do not want to object to a matter of personal privilege of that kind if it is immediate.

Mr. STEENERSON. I supposed, Mr. Speaker, that unanimous consent was granted.

Mr. UNDERWOOD. I did not understand, Mr. Speaker, that it was granted. I should like to ask the gentleman what is the special matter concerning which he desires recognition?

Mr. STEENERSON. It relates to certain newspaper publications reflecting on me and other Members of Congress.

Mr. UNDERWOOD. Reflecting on the gentleman personally?

Mr. STEENERSON. Yes.

Mr. UNDERWOOD. Then I will not object. But will the gentleman require 30 minutes?

Mr. STEENERSON. That is the time I need, and I understood it was granted by unanimous consent.

The SPEAKER. The Chair desires to state that the suggestion of the gentleman from New York [Mr. FITZGERALD] is entirely correct, that if the gentleman has a question of privilege nobody has any right to object to his addressing the House on that subject; but he asked for 30 minutes, and that was a limitation on his time, and the Chair saw no objection to putting the request.

Mr. STEENERSON. Mr. Speaker, I rise to call attention to certain charges made by representatives of the Department of Justice before the Committee on Expenditures in the Interior Department, now in session at Minneapolis, Minn. I read an extract from last Friday's Minneapolis Journal, as follows:

ATTORNEY DECLARES LAW INTRODUCED BY PAGE MORRIS ENABLED EVASION OF STATE LAW.

Presenting the report of Government inspectors as a climax, Government attorneys at the White Earth Indian hearing to-day, at the Federal building, introduced evidence which they assert shows that laws passed by Congress at the instigation of Minnesota Members have been followed by fraud and have opened the reservation to the lumber companies.

Aside from the introduction of the Linnen report, the sensational feature of the day's testimony was the statement of Judge M. C. Burch, of the Department of Justice, to-day that an act introduced in Congress by Representative Page Morris, now a Federal judge, had permitted the lumber companies of the State to "evade" the State law prohibiting them from holding more than 5,000 acres of land. Judge Morris presided at the recent trial of Gus Beaulieu on a charge of defrauding White Earth Indians. Judge Morris dismissed the case after the State had presented its evidence.

Mr. STEPHENS of Texas. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore (Mr. BURGESS). Does the gentleman from Minnesota yield to the gentleman from Texas?

Mr. STEENERSON. I do.

Mr. STEPHENS of Texas. I desire to know what the gentleman is reading from? Is it a newspaper article?

Mr. STEENERSON. It is a newspaper article.

Mr. STEPHENS of Texas. Published in what State?

Mr. STEENERSON. From the Minneapolis Journal, published in Minnesota.

Mr. STEPHENS of Texas. In the gentleman's own State?

Mr. STEENERSON. Yes.

Mr. STEPHENS of Texas. Relative to the White Earth Indian matter?

Mr. STEENERSON. Yes.

President Taft in his recent speech in New York rebukes his rivals and the progressives generally for attacking and undermining the confidence of the people in the judiciary, while at

the very same time his Assistant Attorney General throws out these wicked and baseless charges and insinuations against a Federal judge who decided against his contention.

The above is only a small extract from the charges which have been presented and printed in the hearings and published in the newspapers, but their general tenor is that all legislation by Congress since 1889 has been framed in the interest of lumber companies and land dealers in order to enable them to despoil the Indian of his property, and that the numerous frauds and wrongs against the Indians was due to the faulty character of these laws. They are too voluminous to repeat here, but so far as they reflect on Congress, the judiciary, or myself as a Member of Congress, I denounce them as absolutely false and untrue, and made for ulterior purposes, and to shield the administration from blame for wrongs against the Indians, and to prevent legislation that will put a stop to the intolerable conditions on White Earth Reservation, to which I shall allude. This effort to interfere with, influence, and control the course of legislation in Congress by an executive department comes very close to, if it does not amount to, a breach of the privileges of this House.

Ordinarily congressional investigations are begun on the initiative of the Senate or the House, and not, as is the case here, by a department of the executive branch of the Government, and is carried on for the purpose of laying the foundation for legislation, although they also sometimes are made to serve a political or partisan cause. The department has been for three years in possession of all the matter, whether fact or fancy, which they are now presenting to the committee, but instead of using it in prosecutions of culprits they published it in newspapers and magazines and retained the accused official in the service until recently, when his term expired. They are blaming the law for all the maladministration found. If we are to get our suggestions for remedial legislation from them, I fear we will fail, for neither the Department of Justice nor anyone else will ever be able to devise a law that will secure honest and efficient administration from dishonest and incompetent officials. But it may be that the other reason, the political one, was the motive for this inquiry. Possibly the department officials thought it would be a shrewd move against the junior Senator from Minnesota [Mr. CLAPP], who has been opposing them politically. If so, one can also see that the gentleman from Illinois [Mr. GRAHAM], the chairman of the committee, was at least equally shrewd, for while the administration was opening the rotten entrails of its Indian Service to the public view, incidentally, political advantage would ensue to the party in opposition to the administration. I fear, therefore, that the investigation will result in failure in that direction also.

In order that we may understand the bearing of these charges and of this course of conduct it will be necessary to review the legislative and administrative history that gave rise to these difficulties.

The trouble on White Earth grew out of the passage by Congress, in June, 1906, of the so-called Clapp amendment, removing all restrictions upon alienation and taxation for allotments of mixed-blood Indians, which act reads as follows:

That all restrictions as to sale, encumbrance, or taxation for allotments within the White Earth Reservation, in the State of Minnesota, now or hereafter held by adult mixed-blood Indians are hereby removed, and the trust deeds heretofore or hereafter executed by the department for such allotments are hereby declared to pass the title in fee simple, or such mixed bloods, upon application, shall be entitled to receive a patent in fee simple for such allotments; and, as to full bloods, said restrictions shall be removed when the Secretary of the Interior is satisfied that said adult full-blood Indians are competent to handle their own affairs, and in such case the Secretary of the Interior shall issue to each Indian allottee a patent in fee simple upon application.

and the neglect and refusal of the Interior Department to take steps to guard the interests of its wards in the execution and administration of this law. Obviously, the first duty of the Interior Department was to make out a roll or list of those embraced within the enfranchised class and of those full-bloods whom it deemed competent "to handle their own affairs" within the meaning of the said law; but this they utterly neglected and refused to do until 1909, when the press reports of alleged frauds and impositions by white land speculators upon the Indians awoke them from their slumbers. But the harm had already been done. To shift the blame for the trouble the Interior Department, in cooperation with the Department of Justice, conceived the plan of blaming everything to the viciousness of the law, which it has been sought to nullify and discredit ever since. This law, although framed in exact accord with the announced policy of the Interior Department to the effect that all Indians who had been educated in the schools and brought up in the ways of civilization should, when arriving at the age of majority, be freed from Government tutelage and put on their own responsibility and made to work out their own salvation the same as white people, unfortunately

was not self-executing and to be a success had to be administered with diligence, fidelity, and in a spirit of fairness wholly wanting in the Indian service at the time. There being no records of those who were adult mixed bloods and authorized to sell and convey land, a great many of the Indians who were anxious to obtain ready money and willing to dispose of their lands, which in most cases were wild and unimproved and of no use or value to them, claimed to be mixed blood and were ready to make oath to that effect and to furnish two corroborating affidavits to the truth of the claim, in order to sell and get whatever price might be offered.

It should be borne in mind that all Indians, men, women, and children, had been allotted land in severalty, some 80 acres and some 160 acres each, so that a family consisting of husband and wife and eight children might have 1,600 acres, most of it unused. Three-fourths of the land was on allotments suitable for agriculture, and about one-fourth was valuable pine timber. Most of the adult Indians sold their allotments, and at fairly good prices for wild land, ranging from \$5 to \$10 per acre for agricultural land and from \$25 to \$235 per acre for timber. More than \$5,000,000 was, during the last six years, paid to individual Indians for conveyances of land, which in every instance he made under the sworn representation that he was a mixed blood and qualified to convey under said law. Before 1906 many allottees died and their lands descended to heirs, and more than half of the allotments were to minors and conceded full bloods whose restrictions remained and who could not convey, so that more than half of the land still remains inalienable and exempt from taxation, and much of it unused and absolutely wild, and will continue so as long as the present policy shall prevail.

In 1906 the White Earth Indians numbered about 5,000, and at least three-fourths of them were of mixed blood. Hundreds of them had been successful as farmers, merchants, teachers, and professional men and women, and some had achieved wealth and affluence. They had long been recognized as the most progressive and farthest advanced in civilization of any in the United States, and if there was any place where the policy of giving the Indian control of his own and letting him shift for himself could be tried with prospect of success it was here. As might have been expected, when the Government agents in charge not only ignored the Clapp law and made no attempt to classify the Indians as therein contemplated, but ignored and neglected to enforce the law against the introduction of liquor on the reservation, speculators and land buyers came in, and imposition and debauchery of the poorest and most backward Indians followed. Finally, when the neglect to enforce the law and maintain order on the reservation became a public scandal, the Interior Department, in the summer of 1909, called upon the Department of Justice to aid in straightening out these troubles and recover property illegally conveyed. There were but comparatively few cases of fraud and imposition or sales by minors, so that in the great majority of cases it was found that the validity of the sale of the allotment turned upon the degree of blood of the grantor on the conveyance. If he was a full blood, it was void, and the title of the United States would be clouded by the transfer; if he was a mixed blood, it was valid. At this stage it of course occurred to many Indians who had sold their lands fairly and squarely, and received and kept the price paid, that if their sales were void they could get their land back again and eventually, through the Government agents, sell it over again. All that was necessary to be done was to claim that he, the Indian grantor, was a full blood instead of a mixed. To enable suits in equity to be brought to recover the lands alleged to be wrongfully conveyed, lists or rolls of mixed bloods and full bloods were hastily prepared by the representatives of these two departments, and more than 1,200 suits, involving as many 80-acre tracts, were brought. There are probably 3,000 other 80-acre tracts which have been purchased from other allottees who claimed to be mixed bloods, but the bringing of these Government suits has clouded the title as to all, and no one knows whose turn comes next.

Mr. STEPHENS of Texas. Will the gentleman yield at that point?

Mr. STEENERSON. Yes.

Mr. STEPHENS of Texas. By what authority of law were these suits brought and these rolls changed from full-blood rolls to part white?

Mr. STEENERSON. Absolutely no authority except by implication in the Clapp law requiring them to grant the privilege to those who were deemed competent and were full bloods.

A natural result of this situation was the taking of sides on the question of who was full blood and who was not, and the people soon divided into two hostile factions. The Government agents in their zeal would line up as many as possible on the

full-blood side, and these included, of course, the more ignorant and backward, who were easily controlled and managed, while, on the other hand, the more enlightened mixed bloods took the view that to bring more white people in and settle the wild lands and develop the country would be a good thing for all, and they therefore sided with the purchasers and were disposed to aid all honest purchasers. Bad blood soon developed between the Government agents and these rebellious mixed bloods. One of the leading families among these is the Beaulieu family, the leader of which, Gus H. Beaulieu, a former deputy marshal and real estate dealer, also publisher of a weekly newspaper, the *Tomahawk*, at White Earth, in which he assailed the Government most severely. The full bloods, naturally enough, never grew tired of telling their new-found friends, the Government agents, of their numerous grievances against the Government, the mixed bloods, and the whites. If there is anything in the world of which the Indian has full supply it is of grievances, and so these people advanced the idea that the Beaulieus, Fairbanks, and a few other families really did not belong to the tribe. The espousing of the cause of this faction would serve the purpose of the men in charge of Government litigation, for it would demonstrate that whoever opposed the Government would be punished by expulsion and confiscation of his allotted property and annuities, and so we find that the Department of Justice makes a suggestion to the Interior Department based upon these unsupported stories, and upon this flimsy pretext the Department of the Interior issued nearly 100 orders to show cause why they should not strike from the rolls mixed bloods belonging to the hostile faction.

And it is credibly reported they are about to serve 200 more such notices. Called upon for a copy of the affidavit or charge upon which this drastic proceeding, cutting off without warning all these people from their annuities and clouding their titles to land for an indefinite time, the Secretary of the Interior wrote me the letter, a copy of which is annexed, in which it appears that the fairy tales, uncorroborated, with a verbal suggestion of the Department of Justice, is the only basis for the depriving of these people of property valued at hundreds of thousands of dollars. With this horrible example before them, will any Indian on the White Earth Reservation dare to claim that he is a mixed blood, unless the Government officers say he is? We doubt it. This is the policy of intimidation and persecution now carried on by the Department of Justice at White Earth. In part execution of this policy the Government secured the indictment of Gus H. Beaulieu, Rev. A. C. Beaulieu, and John Leecy, three of the most influential men in the opposition faction, on the charge of conspiracy to defraud the United States out of land by inducing full-blood Indians to apply for patents on the claim that they were mixed bloods. After three weeks consumed in hearing the Government's side and nearly a hundred witnesses, the court promptly directed a verdict of acquittal.

The representatives of these two executive departments also undertook to guard the rights of these Indians in legislative matters pending before Congress. When early last year it appeared from complaints of the people on the reservation that the litigation begun would be endless, that in most cases it was difficult to tell the degree of blood or the genealogy of the Indians, and that the effect was to cloud all titles, prevent settlers coming on the lands and developing the country, these people submitted a draft of a bill, which, in brief, created a commission to make a census and a roll of all Indians on White Earth Reservation, one roll of mixed bloods and one of full bloods. This bill I introduced, and it was duly referred to the House Committee on Indian Affairs (H. R. 31923, 61st Cong.). The Departments of Justice and Interior requested hearings and objected to the proposed commission, on the ground that it was unnecessary. They stated that the cases begun could and would be speedily disposed of, and that fee-simple patents would be issued at once in all cases where no suit was brought, so that titles would be cleared up at an early date. On the strength of these representations I withdrew support from the bill, and it was dropped. These promises, however, were never kept, and on May 12, 1911, I introduced the bill (H. R. 9334) for the relief of innocent purchasers of land on White Earth Reservation. This provides that where an adult Indian grantor, under pretense that he was a mixed blood, has sold to an innocent purchaser his land at a fair price, which he has received and retained, the court may confirm the sale, and where the price is inadequate may confirm it on terms of payment of the full value, and gives similar authority to the Interior Department as to cases out of court. The object of these measures was to settle speedily, upon equitable and just terms, this costly and interminable litigation, which has fallen like a blight upon that part of the country.

There are 32 townships in the White Earth Reservation, one-half of which have been organized as the county of Mahnomen

and the other half is part of Becker County. There are approximately 8,500 80-acre tracts, of which 4,000 have been conveyed by alleged mixed bloods and are taxable and 4,500 are allotments to deceased Indians, minors, and fullbloods and are not taxable. The twelve hundred suits involve as many 80-acre tracts, and the pendency of the suits suspends taxation, and the threat to keep on bringing more suits, together with the refusal to issue fee-simple patents, puts a cloud on all the land, whether in suit or not. Although many of the sales were originally made to speculators, several hundred settlers have come in and bought from the speculators or from the Indians directly, and villages and school districts have been organized and roads and bridges built to some extent, and the taxes for these improvements, falling on less than half of the land, are very heavy—running as high as \$50 per 80 acres—more than the land in its wild state would rent for. The lands sold by the Indians were wild and unimproved. The coming in their midst, upon alternate tracts, of white settlers who will cultivate them and make roads and organize schools will be of more benefit to the Indians than to have the lands remain idle. The object lesson of the white farmer tilling successfully his farm will be a valuable demonstration to the Indians. It will increase two or three fold the undisposed-of bull blood, minors', and deceased Indians' allotments, which are free from taxation, and constitute more than half of the area.

If you keep on with this litigation, it will stop all development and injure the Indians and white alike. It took one month to try the Government's side of the Beaulieu case where the issue was substantially the same as it will be in each of the equity cases, and it is a fair conclusion to draw, therefore, that it will take 1,200 months or 100 years to try the equity cases begun during the last two years involving White Earth lands. It costs the Government about \$35,000 per year to maintain the force that has charge of this litigation. Is it any wonder that these men are opposed to any bill to do away with their jobs? I call especial attention to the course of Mr. M. C. Burch, Special Assistant Attorney General in charge of White Earth matters. He was not satisfied with opposing before the appropriate committee of the House the proposed legislation to speedily settle the difficulties growing out of the situation created by the White Earth litigation, but he inaugurated a campaign to create prejudice and hostility in the minds of Members of Congress and the public; to discredit everyone who disagrees with him in this matter by repeating and publishing stories of fraud and imposition upon the Indians, and also insinuating that all legislation for the last 50 years relating to these Indians was framed in the interest of lumber companies. He opposed investigation by the House Committee on Indian Affairs, and instigated an investigation of his own by the Committee on Expenditures in the Interior Department. In this behalf he went and interviewed Members of Congress, including members of the House Committee on Rules, and represented that the Department of Justice desired this particular investigation by a committee without jurisdiction of the subject of Indian legislation, and consequently unlikely to recommend relief for the depressing conditions at White Earth, which everyone familiar with that section knows is injurious and is costing the Government vast sums for no good purpose, except to keep Mr. Burch and his staff in office for the rest of their natural lives.

In pursuance of this policy to actively discredit all past legislation relative to White Earth, as well as to prevent relief, Mr. Burch has gone before the committee and made what he has chosen to call an "opening statement of facts expected to be proved." At his request this is printed in the hearings, and is issued in pamphlet form, and caused to be extensively published in the press. It is a most astonishing and remarkable production. It is based on tales of Indian grievances generations old—stories of disappointed bidders at land sales, discharged employees and officials, and pipe dreams of sensation mongers who revel in stories of Indian spoliation of every kind. In addition to this, it also contains original statements and insinuations, presumably made on his own account, charging that the Nelson Act of 1889, the Morris Act of 1902, the Steenerson Act of 1904, and all other acts of Congress were all made in the interests of lumber companies, and for the purpose of despoiling the Indian out of his property. As such statements constitute a reflection by the representative of the executive branch of the Government upon the coordinate legislative branch, questioning its integrity and honesty, it constitutes a grave matter that ought to receive careful consideration. This document, beside reflecting upon Members of Congress and discrediting all legislation touching this matter for a generation back, constitutes a still more severe charge against the executive branch, for the only logical conclusion to be drawn from it is that the Indian has been despoiled of his property by the corrupt and criminal management of Indian

affairs by the Interior Department and its agents for the last 30 years or more, and down to and including the administrations of McKinley, Roosevelt, and Taft. It is a remarkable thing to find a representative of two executive departments, without being accused by anyone, instituting an investigation before a congressional committee and filing charges of the most serious character against the administration of his own department, which he is supposed to defend! It is not a case of an official being accused and demanding an investigation, but of self-accusation and demand for investigation. In the former case the object of the investigation is to establish the innocence of the accused, but here the accuser is the accused, and he admits guilt. Is it the purpose of the Department of Justice to investigate the official conduct of the officials of the Interior Department under former administrations and have Mr. Burch act for both the accuser and the accused? The real object would appear to be to create hostile sentiment toward any legislative relief in Congress that might put a stop to the White Earth trouble and end it. Upon no other theory can the action of this department in accusing itself be understood or explained.

The charge that the additional-allotment act of 1904—Steenerson Act—and the act of the same year providing for cutting timber on allotments were in the interest of lumber companies is sufficiently met by the fact that not one foot of land and not one stick of timber could be sold under those laws without the approval and consent of the Secretary of the Interior; neither could this be done under any other law until the passage of the Clapp amendment in 1906.

The records show that this proposition for additional allotments, which is now assailed by the attorneys for the Interior Department as designed in the interest of lumber companies, was first introduced in Congress and embodied in a Senate bill by Senator NELSON in 1897 (S. 412, 55th Cong.), and passed the Senate on his motion (CONGRESSIONAL RECORD, 55th Cong., p. 5694, S. Rept. No. 998). It was twice introduced by Congressman Eddy, and four times favorably recommended by the same department that now condemns it. When this bill for additional allotments, which had been pending in Congress for seven years, finally passed during my first term, the Indians were so pleased that, without my knowledge, they convened a council on May 9, 1904, and unanimously elected me a member of the tribe, and, as I was told, caused the proceedings to be certified to the Secretary of the Interior by the United States Indian agent for approval or disapproval, and I was requested to be present at the annual festival in June, when the ceremony of promulgation would take place. I went there to accept the honor just as officials, Representatives, and even Presidents have accepted membership in social, fraternal, and labor organizations, such as the Brotherhood of Locomotive Engineers, the United Order of Red Men, and the Masons, and so forth.

In response to the chief's speech, presenting the pipe of peace, in which he declared that I was the first white man who had kept word with his people, and that they had unanimously made me a member and wished me to have the best allotment on the reservation, and I could even have his own, I replied that, while I appreciated the honor, I would decline not only to accept his land, but that I would decline to accept any land or benefits whatever. Later it was pointed out to me that the Indian custom of gift making at festivals was held in great reverence and sanctity, and that custom required the gift, whatever it was, to be accepted, and that to refuse to accept it amounted to a serious discourtesy. It was further pointed out that, under Indian usage and custom, when such gift was accepted, the giver or givers expected a gift in return of about equal value. ("Gift making grows into an act of worship. Indians always carry with them presents to be given away according to their position; those visited respond by another gift." Spencer's Sociology, sec. 367-7.) So here was a dilemma; if I refused, the Indians would be insulted, and if I accepted, they would expect me to give them something of equivalent value in return, on pain of forfeiting their friendship. As a way out of the difficulty the plan suggested itself of accepting the allotment (in the event of my enrollment) in trust, and using the proceeds to establish for the tribe a free hospital or similar benevolence. In part execution of this plan the application for allotment was sent to me by the secretary of the Indian council all filled out, and it was returned to him to be filed or used only in the event of my name being placed on the rolls, which it never was, and consequently the application amounts to nothing, and I never knew or heard of its being filed until recently.

That the people of White Earth did not understand that this proceeding indicated any evil design on my part against their property is sufficiently evidenced by the fact that I was not only unanimously reelected in 1904, but in the three cam-

paigns since that time I have always received their united support. It was my only desire to establish and maintain friendship and mutual regard with these people who had confided in me and honored me.

After intimating that the Nelson Act of 1889 and subsequent acts were in the interest of the spoliation of the Indians by lumber companies, the statement also assails the Morris Act (1902) as containing a "joker" in the interest of the lumbermen, whereby the timber was to be sold apart from the land, and this was for the purpose of evading the recently enacted law of Minnesota forbidding a corporation from owning more than 5,000 acres of land. (See Burch statement, p. 246, White Earth hearings.) Anyone familiar with legislative and administrative history of Indian matters in Minnesota knows that the original Nelson Act—ratified by treaty with the Indians—provided for the classification of the ceded land into agricultural and pine, the former to be subject to homestead and the latter to be sold at auction upon stumpage estimates at not less than \$3 per 1,000 feet, and that in the administration of this law the difficulty met with was the estimates, and that after three attempts at getting correct estimates Secretary Ethan Allen Hitchcock, during the McKinley administration, suspended operations entirely and refused to sell any more timber until a law could be framed providing for disposing of the timber separate from the land and for a bank scale, which system had been found to work well elsewhere. Secretary Hitchcock, therefore, caused to be prepared the draft of the Morris Act, and it was passed substantially as submitted and approved by President Roosevelt. Under this act more than \$5,000,000 has been realized from pine sales, and no fair-minded and well-informed person would say that it has not been a most successful law.

In spite of the clause in the constitution of Minnesota, and which has been required to be inserted in the constitution of every State admitted into the Union, that the State "shall never interfere with the primary disposal of the soil in that State," Mr. Burch thinks that the Morris Act, in providing for the sale of the timber separate from the land, was designed by those two wicked enemies and despoilers of the Indians, President Roosevelt and Secretary Hitchcock, to evade the law of Minnesota against corporate holding of real estate. Could senile dementia or even lunacy invent a more grotesque and foolish theory than that? But this is not the most remarkable part of the statement. He alludes at length to the trouble with the Pillager Band at Leech Lake in 1898 and takes the side of the Indians who ambushed and killed Maj. Wilkinson and 6 men of the Third United States Infantry and wounded 14 others who were sent out at the request of the Department of Justice to aid the United States marshal in executing criminal warrants for the arrest of Indians accused of introducing liquor on the reservation. He repeats the Indian stories that the United States marshals had instituted proceedings for introducing liquor on the reservation for the purpose of earning fees, and that the Indians, when discharged from prison on expiration of sentence, were not supplied with transportation back to the reservation. I wonder what the officers and men of the Army will think of this defense of the murderers of their brave officers and men who went out to aid this very department to execute its process and establish the supremacy of the law? What a valuable lesson in respect for law and order this defense of lawlessness and eulogy of murderers must afford to the Indians. Coming from the highest law officers in the land, it will, no doubt, make a lasting impression.

The whole affair relates to Leech Lake Reservation and has nothing to do with White Earth, but it must have been thrown in for its tragic element to heighten the dramatic effect of the statement. The statement describes at length the liquor evil on the reservation resulting in the "Saturnalia," and alludes to the sensational report of Moorhead and Linnen in 1909 on this subject, and he seems to take great satisfaction in being able to promise to prove these damaging statements to be true. But damaging to whom? Can this evil be laid to the fault of the law? No. The law absolutely prohibited the introduction of liquor on the reservation, as well as the sale of it, under the severest penalty. This was the law by act of Congress, which it is and was the duty of both the Indian officials and the Department of Justice to enforce. The Interior Department had a force of Indian police on the reservation which, without warrant or proceeding in court, could have and it was its duty to summarily seize and confiscate and destroy every drop of liquor on the reservation. If this was not enough, they could, as in 1898, call on the Department of Justice and the United States Army to enforce the law. It is to be regretted that a change of policy seems to have come since the battle with the Pillagers at Bear Island in 1898. Before that the whole force of the Government, both civil and military, was employed to enforce

the law against the introduction of liquor on Indian reservations, but now the very agents whose duty it is to enforce the law gloat over its flagrant violations and their own criminal neglect to enforce it.

Mr. Burch shows in this whole statement great hostility to lumbermen and lumber companies, and one would naturally conclude that this would influence his official actions; but no; he appears to have been most complacent and accommodating to the very lumber company—Nichols-Chisolm, of Minneapolis—whom he so repeatedly condemns. He opposes, for instance, even to the extent of persistent lobbying, in the name of the Department of Justice all proposed legislation to settle the title to agricultural land involved in the litigation. His policy is to tie it up and hold from settlement or development; but not so with the pine. If Mr. Burch had been consistent, he would have stopped the Nichols-Chisolm Lumber Co. in 1909 from cutting any logs on the lands involved in the suits; but instead, I am informed, he has allowed them to extend their logging railroad and to cut 40,000,000 feet of pine every year since from the reservation. They will cut 40,000,000 feet this year, and continue to do so until the hundreds of millions of feet of pine still standing is all gone. It is true that bond has been given to protect the Government, but not the individual Indian who owns the land and who has to wait for his money till the lawsuits of the Government are determined. This lumber company holds back hundreds of thousands of dollars of the purchase money due the Indian allottees, and thereby saves interest to the extent of thousands of dollars every year; and still their lumbering business goes on with the approval and consent of Mr. Burch! The timber in the case of timberland is the most valuable part thereof, and permitting its removal and manufacture is a disposal of the soil, and a consistent policy would not permit this and oppose the confirmation of the sale and development of farm land upon equitable terms. It thus appears that the hostility to the lumber companies is only in words and not in deeds.

As already stated, White Earth seemed to be a favorable place for trying out the policy of allowing the Indian to control his own and to shift for himself, in harmony with which the Clapp law was framed, and subsequent events, in spite of all that has been said shows that, if not an entire success, it would have been so if the Executive and administrative officers had done their part with diligence and fidelity. In proof of this let us compare the results of the business operations of the United States, acting as guardian of these Indians, and that of the individual Indians under the Clapp law. According to the Burch statement there were originally 36 townships in the White Earth Reservation, and four of these were disposed of by the Secretary of the Interior in 1900 under the act of February 26, 1896, which gave him full power to appraise the pine timber, and to sell it at auction for not less than the appraised value. The pine brought \$1.60 per thousand feet, and the land \$1.25 per acre. This result was due to fraudulent estimates and combinations of bidders at the sale, and which sale the Secretary refused to set aside even after his attention was called to the matter by his own inspectors. (See Burch statement, pages 234 to 245, White Earth hearings.) Under the Clapp law exactly similar agricultural and pine land was sold by individual Indians themselves, and realized on the average \$7.50 per acre for agricultural land, and \$8 per thousand feet for the timber on the latter. The Indians got six times as much for the farm lands, and five times as much for the pine as did his guardian; the land being similar both as to location and quality and value. But that is not the whole difference. The Secretary of the Interior reports that the receipts from the operation of the laws for the disposal of the property of the Chippewas of Minnesota amount to \$9,000,000 and of this not quite \$4,000,000 remains to their credit, so that approximately \$5,000,000 out of \$9,000,000 have gone for administration. Out of the income of the millions of dollars in the Chippewa fund each of these Indians has heretofore received between \$6 and \$7, an amount sufficient to enable him to buy a two-cent postage stamp each day in the year. Well might these wards of the Government exclaim "O monstrous! but one-half pennyworth of bread to this intolerable deal of sack!" It is only too true that there is poverty, and even want, among some of the Indians. The system of isolation under Government guardianship, upon a reservation where the aboriginal tribal organizations and customs, inimical to all progress, remain, must be the cause. Forty-five years of trial here as elsewhere has proven this policy, however humanitarian in its purpose, a complete failure. I am firmly convinced that if in 1867, when the reservation was established, every alternate quarter section had been given free to white settlers, and the money spent on the agency officials given to common school districts for maintenance of mixed schools, it would have solved the Indian problem on White Earth years ago. It is fair to conclude that if the prop-

erty disposed of by individual Indians under the Clapp law, amounting to about \$5,000,000, had been administered by the Department of the Interior less than 50 cents on the dollar would have reached either the Indian or the Indian fund. While it is admitted, and an undisputable fact that the individual Indians sold their property for five or six times more than has been realized for exactly similar property disposed of by the Government as guardian, yet it is urged against the wisdom of the Clapp law that the money received was foolishly spent and squandered. This objection has some basis although not by any means as much as the sensation-hunting investigators and muckrakers try to make out. A great many Indians not only sold their property well, but handled the money received as well as ordinary white people. Nine-tenths of the scandals resulted from the introduction of liquor on the reservation for which the Government, and not the law is responsible. This effort to excuse incompetent and corrupt administration of Indian affairs by laying the blame on the law is the main feature of the Burch statement. He charges that the Indians have been despoiled of millions of dollars by reason of unwise and bad laws, and yet, every law under which the Indian property was sold by the Government prior to the Clapp Act of 1906, was submitted to and was approved by the Interior Department before it was enacted by Congress, and gave the department ample and complete authority and discretion. The propensity to throw the blame for evil deeds upon others so strongly exhibited here is not a recent development in human nature, for, when caught eating the forbidden fruit, Adam tried to shoulder the blame upon Eve. But Adam had at least some justification for the claim, which in this instance is absolutely and utterly groundless.

On the general policy of giving the adult Indians control over their property I cite the last report of the Board of Indian Commissioners, among the members of which are such well-known names as Prof. Andrew Draper and Cardinal Gibbons. I quote from pages 6 and 7, as follows:

Since 1899 this board has consistently urged the breaking up of tribal funds, and we still believe it is the next important step in the solution of the Indian problem. Every Indian entitled to share in these funds should be recognized by name upon the books of the Treasury and have his share either credited to him by name, in case he is incompetent to manage it, or paid to him if he is competent and legally entitled to receive it. The division of the tribal funds is quite as logical an advance step as was the division of tribal lands, for, like tribal lands, they prevent the Indian from acquiring that sense of personal responsibility necessary to good citizenship and they are peculiarly susceptible of exploitation by unscrupulous lawyers or claim agents.

Congress should by law fix an early date when all tribal funds should be paid or credited to the individual members of the tribes, and provide that no Indian child born after that date can have any share therein except by regular inheritance.

Such a division of tribal funds would involve another great need—that of an accurate roll of Indians at every agency. It is time that the Government, if for no higher motive than accurate accounting and sound business methods, should have a carefully prepared tribal roll of every Indian tribe. It is believed that in the preparation of such rolls it would be desirable to secure through the Bureau of American Ethnology the services of some trained ethnologists whose study of Indian customs and Indian relationships would give a solid basis of scientific accuracy to the work. That such rolls are needed is evident from examples like the history of the last few years at the White Earth Indian Reservation, and the mass of litigation already accumulated with reference to the inheritance of Indian allotted lands. We recommend early legislation providing for the preparation of accurate tribal rolls of all Indians and fixing a date for the division into individual holdings of all tribal funds.

I appeal to every Member of Congress and to the Chief Executive to give these matters careful consideration, with a view to a change of the present policy as to these Indians, and to cooperate, in devising and enacting such legislation as to speedily remedy these serious and intolerable conditions upon terms that will be just and fair to all.

In this connection I desire to insert the following documents, which, with above argument, have been submitted to the Attorney General:

DEPARTMENT OF THE INTERIOR,
Washington, January 24, 1912.

Hon. HALVOR STEENBERG,
House of Representatives.

SIR: I have the honor to acknowledge receipt of your letter of December 26, addressed to the Commissioner of Indian Affairs, requesting information relative to a notice and order recently issued by the superintendent in charge of White Earth Indians in Minnesota to Mrs. Jennie M. Ledebore and her daughter, Alice Wilhelmina Ledebore, requiring them to show cause why their names should not be stricken from the lists of the Chippewa Indians in Minnesota, why their allotments should not be canceled, and why they should not be required to return to the said Indians the annuities and other benefits, or the value thereof, which they have already received.

The orders you mention were issued by the Commissioner of Indian Affairs and approved by this department, such action having been taken in accordance with the suggestion of the Attorney General, made to this department under date of November 14, 1911. You will therefore see that these orders did not emanate from the superintendent in charge of the White Earth Indians, but that he and those under him were merely the instrumentality for service of such orders.

This action was taken upon representation and repeated applications made by numbers of Indians who claimed to belong to the Minnesota Chippewas, these complaints being made to a special agent of the In-

dian Service and to officials of the Department of Justice who have been at work upon and in the vicinity of the White Earth Reservation. Such complaints have been of long standing and oft repeated, and have been the source of much division and jealousy among the Indians inhabiting or connected with the reservations of Minnesota, and have practically all been to one effect, namely, that injustice has been done the Indians of Minnesota because, without real membership in any of their tribes, persons, among whom are Mrs. Ledebore and her daughter, have been irregularly placed upon the annuity and allotment rolls of the Minnesota Indians.

These complaints, in the course of their duties, were laid before this department by the officials to whom they were made, and proceedings have been instituted to have the direct issue brought forward and duly passed upon by this department, so that this vexing and trouble-breeding subject may be authoritatively put at rest and this bone of contention finally buried.

No complaint of a peculiar character has been made against Mrs. Ledebore and her daughter, and you are informed that she is simply one of a class whose rights must be investigated and passed upon the same as the others. It is not intended that the notice to show cause issued to these people should operate nor have the effect to deprive them of any rights or benefits to which they may be decided to be legally entitled after this investigation, and you are assured that each person notified, as in these cases, will be given every proper opportunity to be heard and to protect his or her interests.

It will be sufficient at this time for Mrs. Ledebore to file with the Commissioner of Indian Affairs an admission or denial of the allegations contained in the notice served on her. On or after February 1, 1912, the day named in the notice on or before which answer thereto is required to be made in writing, such further methods of procedure will be adopted in the matter of making investigations and taking testimony thereunder as the department may conclude will insure a fair, impartial, and thorough hearing, and all parties in interest will be duly notified thereof, and in view of your inquiry you will also be notified.

Your letter will be filed and considered in connection with Mrs. Ledebore's case.

Respectfully

CARMI A. THOMPSON,
Assistant Secretary.

MAHNOTEN, MINN., January 11, 1912.

HON. GEORGE W. WICKERSHAM,
Attorney General, Washington, D. C.

SIR: We, the undersigned, citizens and taxpayers of Mahnoten County, in pursuance of our right to peaceably assemble and petition the Government for a redress of our grievances, do respectfully protest against the manner in which the representatives of the Department of Justice and the Department of the Interior have heretofore and are now conducting the matters in relation to land titles on the White Earth Reservation, in Minnesota.

The representatives of the departments above mentioned have commenced over 1,150 separate actions and are about to file about 200 cases more against present owners of these lands, many of whom are actual settlers, the purpose of these actions being to quiet title in the United States. In the commencement of these actions the agents of the Government having these matters in charge have shown themselves utterly incompetent or grossly negligent in the performance of their duties, in this:

1. We charge that they have filed a multiplicity of suits when a few actions would have determined the blood status of every Indian family upon the White Earth Reservation. A careful investigation of the ancestry of the allottees on the White Earth Reservation will show that all of the allottees on the reservation can trace their descent from not to exceed 50 common ancestors. And, therefore, if the Government had selected and tried 50 to 75 cases out of the large number now filed the blood status of every Indian on the White Earth Reservation would have been determined, and saved the Government large expense as well as the defendants, for in many cases the expense will be more than the value of the land.

2. Many actions have been commenced on tracts of land on which the United States had issued fee-simple patent to the original allottee. (A partial list of such cases is shown in schedule 1 hereto attached.) And yet Mr. M. C. Burch, special assistant to the Attorney General, in his testimony before the Committee on Expenditures in the Interior Department, shown in Document No. 2, on page 56, says that "just a few suits were brought on fee-simple titles, not over four or five or six," and these he admits were filed by oversight.

The officials of your department have been advised of many such cases, and have been requested to dismiss them, which they have agreed to do; however, up to this date no cases have been dismissed.

3. Your representatives have commenced a number of actions, claiming that the United States is the owner in fee simple of certain tracts of land, which tracts had previously been sold under the "Inherited Indian land act" of May 22, 1902, and the deeds conveying such tracts to the purchasers were approved by the Secretary of the Interior. (A partial list of such cases is shown in Schedule II hereto attached.) Such approved deeds are of record in the respective counties where the lands are located. These cases are evidently blunders, but no steps have been taken to rectify the wrong and the suits are still pending.

4. During the fall of 1910 Mr. J. H. Hinton, special Indian agent, attempted to prepare a roll of the allottees on this reservation, which roll was certified to by your special assistants, showing the degree of Indian blood of each person listed in said roll. This roll, covering about 5,000 Indians, was prepared in about 60 days. In the bringing of these actions it would seem that they did not have explicit confidence in the roll as prepared by Mr. Hinton, for they have instituted suits in cases where the roll above referred to shows the allottee to be an adult mixed blood. (A small list of such cases are shown in Schedule III hereto attached.)

5. In the cases of the United States v. Nichols Chisholm Lumber Co. and other defendants, demurrers were filed to the complaints. In these cases the original allottee of the land had died leaving surviving adult mixed-blood heirs who had subsequently sold the land. These demurrers were argued before the Hon. Page Morris at Duluth, in February, 1911, and in sustaining the demurrers the court said in part:

"Now, as I construe this Clapp amendment—I take its language as I find it—all restrictions as to the sale, etc., for allotments within this reservation heretofore or hereafter held by adult mixed-blood Indians are removed. All restrictions are removed. And the 'trust deeds'—of course 'trust patents' is meant—heretofore or hereafter issued by the department for such allotment are declared to pass the title in fee simple. It seems to me, gentlemen, that the contention of Mr. Powell is sound, and that the amendment means just what it says; that all restrictions are removed as to those allotments held—no matter now held—held by adult mixed bloods. That, it seems to me, is what it means. That is the only way I can read it, no matter how held. There-

fore no matter how the adult mixed blood has come to be the holder or owner of the allotment or part of an allotment, whether by selection—that is, as the original allottee or by inheritance from a full blood or by inheritance from a mixed blood or by inheritance from a minor mixed blood or by inheritance from a full-blood minor, if there can be such inheritance as that, all restrictions as to alienation of such allotment, or any part of it, held by any adult mixed blood. The trust patent is declared to convey to him or vest in him—(pass) to him—if he is an adult, or as soon as he becomes an adult, the fee-simple title, and he has the right to sell it without restriction. That is the way I construe the so-called Clapp amendment."

No appeal has been taken by the Government from this decision; yet in the face of it your department has failed to dismiss any of this class of cases, but have filed numerous similar cases since the foregoing decision was rendered. (A list of these cases can be had if desired.)

6. In a little over 100 cases the only contention made by your department is that the allottees were minors at the time they sold and conveyed their land. It is now a matter of record that many of these allottees have ratified their transactions upon reaching their majority, and new deeds have been executed by them conveying the land to the original purchasers. Under these circumstances we claim that where the minor has given a new conveyance the suits should be promptly dismissed, but your representatives refuse to dismiss these cases, claiming that the act of June 25, 1910, repealed the Clapp amendment. We deny this contention, and we do not believe that your representatives are sincere in their contention, as they are now arguing for a repeal of the Clapp Act.

It is to be noted that in all the cases instituted by the Government affecting the titles to land on the White Earth Reservation no case has been brought alleging fraud in connection with any transaction. In the case of *The United States v. Gus H. Beaulieu et al.*, charging the defendants with a conspiracy against the United States, which case was tried in the November (1911) term at Fergus Falls, Minn., and resulting in a directed verdict for the defendants, the Hon. Page Morris, in his charge to the jury, said, in part:

"We are not trying these defendants for having overreached ignorant Indians, and if we were I am very free to say that the testimony as it now stands I hardly think would bear out any such conclusion. I do not remember any testimony here which indicates any overreaching of these ignorant Indians by any of these defendants or by their employer. On the contrary, in one case here the man himself admitted he didn't know himself what the pine was worth; that he would have been willing to take a small sum for it, whereas he got \$14,000 for it. It doesn't seem to me, as far as this proof goes, that it indicates any overreaching of these unfortunate Indians by these defendants. They seem to have gotten fair prices for their pine."

We charge that these cases are brought in bad faith, for it was agreed and understood between counsel on both sides that no actions would be commenced until the question as to the blood of the Indian be determined upon a hearing by the interested parties. It is now generally conceded, even by the attorneys for the Government, that not one case in ten has any merit, and your agents have, therefore, done this community a great injustice and caused it enormous financial loss.

EVIL RESULTS OF THIS LITIGATION ON THE COUNTRY IN GENERAL.

Since the Government has started these suits, now nearly two years ago, the confidence in this country has been totally destroyed, and in addition it has thrown a cloud upon the titles to all the land on the reservation whether directly involved in the litigation or not. Many farmers have invested their all in a home in this reservation and now find their titles threatened, and many of them are put to enormous expense in defending their homes. And even if successful in defending their suit the expense in many cases will amount to the value of the property. The sale of lands has practically ceased and the settlement of the country retarded. The general business conditions are bad, and good first-mortgage loans on White Earth lands are not marketable.

The White Earth Reservation comprises 32 townships. Mahnoten County, which lies wholly within the reservation, has 16 townships, 11 of these are now organized. There are 16 newly organized school districts, with 16 new schoolhouses, according to the report of the superintendent of schools, and two-fifths of the entire enrollment are pupils of Indian blood. This county levied taxes in 1910 amounting to about \$50,000 and less than \$30,000 was collected for the reason that the defendants in these actions refused to pay taxes while the title to their property was in litigation. As a result of this state of affairs the finances of the county are in a deplorable condition, and many of the schools will have to close for want of funds unless these conditions are remedied soon. General improvements of the county have been delayed and the county needs many new roads and several bridges, but has no money with which to make the improvements.

We have the honor to request:

1. That the Government cease filing additional suits until the present cases are tried and determined.
2. That all suits filed on lands where a patent in fee has been issued be dismissed forthwith.
3. That the Government promptly dismiss all suits on land where the deed of conveyance was approved by the Secretary of the Interior.
4. That the Government also dismiss all cases involving allotments of known adult mixed-blood Indians.
5. That all cases coming within the purview of the Morris decision, referred to in paragraph 5 herof, be dismissed.
6. That all cases where alleged mixed-blood minors have sold their allotments and subsequently ratified the sale by new deed after majority be dismissed.

We submit the foregoing requests are just and reasonable; that we are wholly within our legal rights in these demands; and that the various matters herein set forth are of such grave importance to this community that they should receive prompt and favorable consideration at your hands.

Respectfully submitted,

Henry Birkett, President Mahnoten Commercial Club;
G. H. Fletcher, Chairman Mahnoten County Board;
T. H. Blanchard, County Auditor; J. T. Van Metre,
County Attorney; A. L. Thompson, Attorney; Oluf
Waldum, Merchant; Sigurd B. Olson, Merchant; A. J.
Anderson, County Treasurer Mahnoten County; R. C.
Bethel, Register of Deeds, Mahnoten County; F. M.
Archibold, M. D., Physician; B. J. Reck, Judge of Probate;
John W. Carl, Farmer; Martin M. Bowman,
Clerk of District Court; C. H. Sanders, Abstractor;
H. P. Phillips, Publisher of Mahnoten Pioneer; Joseph
F. Lovin, President of Council; L. O. Johnson, Publisher
Free Press; G. A. Gunderson, Merchant; Peter Han-
kinson, Merchant; Olaf Qually, Clerk; J. H. Sullivan;
L. G. Sanders.

Schedule No. 1, showing a list of lands on which fee simple patents have been issued against which the Department of Justice has commenced action. Said fee simple patents are a matter of record in the county where the land is located:

0585. William Aspinwall, lots 2 and 3, section 31, 141-37, SE. SW. $\frac{1}{4}$, 28, 141-38. November 11, 1910.
 01105. O jon ennoy ge shig, E. $\frac{1}{2}$ NE. $\frac{1}{4}$, 24, 143-42. November 2, 1910.
 01369. George Jackson, NE. NE. and SE. SE., 9, 143-41. May 11, 1911.
 02296. Te bish ke ga bow, lots 1 and 2, section 7, 144-40. May 11, 1911.
 03039. Mah wah geence, lot 3 and SE. NW., 2, 144-42. October 17, 1910.
 03789. Now we ke shig o quay, W. $\frac{1}{2}$ NW. $\frac{1}{4}$, 9, 144-38. December 9, 1910.
 04254. Me gis way waish kung, SE. S., 32, 144-41, and lot 1, section 5, 143-41. November 2, 1910.
 04484. Te bish co cumig, W. $\frac{1}{2}$ SW. $\frac{1}{4}$, 26, 146-42. March 7, 1911.
 01501. William Porter, W. $\frac{1}{2}$ SW. $\frac{1}{4}$, 20, 143-41. January 19, 1911.
 04355. O gah bay ah sin o quay, lot 2 and SE. NW., 18, 144-41. January 9, 1910.
 A84. Nay nah cow ub e quay, SW. SE. and N. $\frac{1}{2}$ SE. SE. and N. $\frac{1}{2}$ S. $\frac{1}{2}$ SE. SE., 32, 144-38. July 19, 1911.
 A284. Jane Caswell, W. $\frac{1}{2}$ NW. $\frac{1}{4}$, 22, 142-37. November 11, 1911.
 A869. O jon ennoy ge shig, NW. SE. and NE. SW., 15, 142-38. November 2, 1910.
 A1377. Dick Taylor, of Nay tah waush, SE. NE., 9, and SW. NW., 10, 142-39. November 2, 1910.
 A1592. Nay tum aun e quay, lots 2 and 6, section 6, and N. $\frac{1}{2}$ N. $\frac{1}{2}$ NW. $\frac{1}{4}$ NE. $\frac{1}{4}$, 9, 142-39. November 2, 1910.
 A1715. Day dah bus aush oak, S. $\frac{1}{2}$ NE. $\frac{1}{4}$, 29, 142-38. May 11, 1911.
 A1729. Te bish co cumig, E. $\frac{1}{2}$ NW. $\frac{1}{4}$, 26, 146-42. March 7, 1911.
 A2163. Wah ne hah se gay quay, N. $\frac{1}{2}$ SE., 28, 146-38. October 17, 1910.
 A2169. Me gis way waish kung, lot 7, section 2, and NE. NE., 25, 142-39. November 2, 1910.
 A2505. Maggie Bad Boy or Aysh quay quay gwon abe e quay, SE. SE., 20 and NW. SE., 27, 143-39. April 11, 1911.
 A2682. Jack Big Star or Ke che aun ung, SW. SW. 12 and NW. NW. 13, 142-37. January 19, 1911.
 A831. Fred Jackson or Oskin ow, SW. NW. 12, 142-37, and SW. NE., 3, 142-37. October 9, 1911.
 A1946. Ah be tah cumig o quay, NE. SE. and SE. NE., 4, 145-38. April 11, 1911.

Schedule No. 2, being a list of lands which were sold under the "Inherited Indian lands law," and the deeds approved by the Secretary of the Interior, against which the Department of Justice has commenced action:

02179. Ah ke wenzle, lots 4 and 5, section 6, 146-42. November 29, 1911.
 02787. Quay zanice ish, N. $\frac{1}{2}$ SE. $\frac{1}{4}$ section 16, 142-38. October 17, 1910.
 03025. Shay shay we ge shig, E. $\frac{1}{2}$ NE. $\frac{1}{4}$ section 11, 144-42. December 9, 1910.
 03237. Pay she ge shig, or John, SE. SE. 13 and NE. NE. section 24, 144-42. November 10, 1910.
 03585. Sah kay way gah bow equay, W. $\frac{1}{2}$ SE. $\frac{1}{4}$ section 17, 145-40. January 19, 1911.
 03586. Henry Hutchinson, W. $\frac{1}{2}$ SW. $\frac{1}{4}$ section 17, 145-40. January 19, 1911.
 04255. O gah bay ah sin o quay, lot 2 and SE. NW. section 18, 144-41. December 9, 1910.
 Schedule No. 3, being a list of lands against which the Department of Justice has commenced action wherein the original allottees are classified as being mixed blood in the "Hinton roll":
 01266. Elvina Quinlan (mixed blood, $\frac{1}{2}$); NE. SE., 22, and NW. SW., 23, 141-40. May 11, 1911. Government age, 40 years.
 01905. Ozhe gaunce or John Rabbit (mixed blood, $\frac{1}{2}$); N. $\frac{1}{2}$ SW. $\frac{1}{4}$, 20, 141-37. August 31, 1910. Government age, 71 years.
 01969. O dish quay o say quay (mixed blood, $\frac{1}{2}$); W. $\frac{1}{2}$ NE., 20, 141-37. August 31, 1910. Government age, 27 years.
 01980. Wah say ge shig (mixed blood, $\frac{1}{2}$); W. $\frac{1}{2}$ SW. $\frac{1}{4}$, 9, 141-37. August 31, 1910. Government age, 37 years.
 02600. Ped way way cumig or Sarah Roberts (mixed blood, $\frac{1}{2}$); lots 1 and 3, 16, 142-42. November 11, 1910. Government age, 24 years.
 02712. Ah sin e wah be quay (mixed blood, $\frac{1}{2}$); E. $\frac{1}{2}$ NW. $\frac{1}{4}$, 8, 141-38. January 19, 1911. Government age, no record.
 03479. Ah be tah cumig o quay (mixed blood, $\frac{1}{2}$); N. $\frac{1}{2}$ NE. $\frac{1}{4}$, 7, 145-41. March 7, 1911. Government age, 24 years.
 03596. Le blk or Lizzie Porter (mixed blood, $\frac{1}{2}$); S. $\frac{1}{2}$ SW. $\frac{1}{4}$, 32, 146-40. March 7, 1911. Government age, 24 years.
 03969. Josette Mooers (mixed blood, $\frac{1}{2}$); SE. NW. and SW. NE., 3, 143-40. March 7, 1911. Government age, 52 years.
 03971. Margarette Ozhe ne nee (mixed blood, $\frac{1}{2}$); SW. SW., 25, and NW. NW., 36, 146-42. November 2, 1910. Government age, 38 years.
 04040. Ah sin e mah be quay (mixed blood, $\frac{1}{2}$); lots 3 and 4, section 3, 144-39. May 11, 1911. Government age, 33 years.
 A1464. Wah say ge shig (mixed blood, $\frac{1}{2}$); SW. NE. and lot 6, 29, 141-39. August 31, 1910. Government age, 36 years.
 A1975. James Bear (mixed blood, $\frac{1}{2}$); NE. NW., 13, and NE. SE., 14, 143-38. March 7, 1911. Government age, 28 years.
 A2030. Lizzie Porter or Te blk (mixed blood, $\frac{1}{2}$); E. $\frac{1}{2}$ SW. $\frac{1}{4}$, 3, 146-38. March 7, 1911. Government age, 20 years.
 A2619. Josette Mooers (mixed blood, $\frac{1}{2}$); E. $\frac{1}{2}$ SE. $\frac{1}{4}$, 19, 144-39. March 7, 1911. Government age, 52 years.
 A2623. Margarette or Ozhe ne nee (mixed blood, $\frac{1}{2}$); E. $\frac{1}{2}$ SW. $\frac{1}{4}$, 23, 145-39. November 2, 1910. Government age, 37 years.

Mr. Lacey, from the Committee on Indian Affairs, submitted the following report (to accompany S. 5255):

The Committee on Indian Affairs, to whom was referred the bill (S. 5255) to provide allotments to Indians on White Earth Reservation, in Minnesota, beg leave to submit the following report and recommend that said bill do pass without amendment.

This is a bill similar in terms with House bill 9666, which the committee has had under full consideration. It provides for increased allotment of land to the Chippewa Indians on the White Earth Reservation, in Minnesota, from 80 acres, already allotted, to 160 acres, and at the same time makes allotments to

some Indians who have never before had them. In case there is not sufficient land to give each allottee 160 acres, the allottees will receive a pro rata allotment of this land. The Interior Department was called upon to report on H. R. 9666, and reported thereon favorably with some amendments, which are incorporated in this bill (S. 5255), which is favorably reported, as follows:

DEPARTMENT OF THE INTERIOR,
Washington, March 28, 1904.

SIR: I have the honor to acknowledge the receipt by your reference of H. R. 9666, "A bill to provide allotments to Indians on White Earth Reservation, in Minnesota." The commissioner's report of the 25th instant on this bill (copy herewith) shows that previous correspondence has been had in the matter of allotting these Indians additional lands, and that, as provision is made in H. R. 9666 for pro rata allotments in case there is not enough land on the reservation to give each Indian an allotment of 160 acres, there appears to be no objection to the passage of the bill.

In the views of the commissioner I concur.

Very respectfully,

E. A. HITCHCOCK, Secretary.

To the CHAIRMAN OF THE COMMITTEE ON INDIAN AFFAIRS,
House of Representatives.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
March 25, 1904.

SIR: The office has the honor to acknowledge receipt, by department reference of the 16th instant, for report, of a communication from Hon. JAMES S. SHERMAN, chairman of the Committee on Indian Affairs, House of Representatives, inclosing H. R. 9666, "A bill to provide allotments to Indians on White Earth Reservation, in Minnesota."

The bill provides that the President of the United States shall be authorized to allot to each Chippewa Indian now legally residing upon the White Earth Reservation under treaty with or laws of the United States, in accordance with express promises made to them by the Chippewa Commission, and to those Indians who may remove to the said reservation who are entitled to take allotments under article 7 of the treaty of April 18, 1867, 160 acres of land, said allotments to be made in accordance with the provisions of the act of Congress of February 8, 1887 (24 Stat. L. 388).

The bill also provides that where any allotment of less than 160 acres has heretofore been made to the allottee, he shall be allowed to take an additional allotment, which, together with the land already allotted, shall not exceed 160 acres; also that if there is not sufficient land within the diminished White Earth Reservation subject to allotment to give each Indian entitled thereto the amount of land provided by the bill, then the lands shall be prorated among the allottees.

Reporting upon the bill, the office has the honor to state that it has heretofore made several reports upon similar bills having practically the same object in view. A report upon a bill having practically the same effect was made to the department under date of December 17, 1896, to which attention is respectfully invited. The office also, on February 12, 1900, submitted a report upon H. R. 997, the general scope and effect of which was identical with the present bill. Attention is also respectfully invited to said report. On March 26, 1902, the office also submitted a report on Senate bill 4340, having practically the same effect as the present bill. In all of these reports the office has recommended the passage of the bills with such slight modifications as have been made from time to time.

In office report of March 26, 1902, attention was invited to the fact that the office entertained some doubt of there being sufficient lands on the White Earth Reservation to give each Indian embraced in the bill an allotment of 160 acres, and it was accordingly suggested that the bill be so amended as to provide for pro rata allotments in case there was not enough land on the reservation to give each Indian 160 acres. The bill in question has been modified as suggested in said office report, and the office now sees no objection to the passage of the bill, and accordingly so reports.

The bill is returned herewith; copy of this report also inclosed.

Very respectfully,

A. C. TONNER,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Curtiss, one of its clerks, announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 3087) for the relief of the Plant Investment Co., of New York, N. Y.

ENROLLED BILLS SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 11321. An act to authorize the Twin City & Lake Superior Railway Co. to construct a bridge across the St. Croix River between Chisago County, Minn., and Polk County, Wis.; and

H. R. 2973. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

ADJOURNMENT.

Mr. HEFLIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 41 minutes p. m.) the House adjourned until to-morrow, Tuesday, January 30, 1912, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, submitting an urgent estimate of deficiency in appropriation for contingent expenses, Treasury Department, fuel, etc., for current fiscal year (H. Doc. No. 492); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of St. Johns River, Fla. (H. Doc. No. 493); to the Committee on Rivers and Harbors and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Portland Harbor, Me. (H. Doc. No. 489); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

4. A letter from the Secretary of War, transmitting, in response to House resolution No. 343, information concerning the distribution of the mobile Army of the United States and the names of Army posts which have been located in their present situations for reasons which are now totally obsolete (H. Doc. No. 490); to the Committee on Expenditures in the War Department and ordered to be printed.

5. A letter from the Postmaster General, transmitting a schedule of useless papers on file in that department and requesting authority to destroy same (H. Doc. No. 491); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. ALEXANDER, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 18001) to amend an act entitled "An act to simplify the issue of enrollments and licenses of vessels of the United States," reported the same without amendment, accompanied by a report (No. 272), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 3870) to grant authority to the Inland Steamship Co., of Indiana Harbor, Ind., to change the name of the steamer *Arthur H. Hawgood* to *Joseph Block*, reported the same without amendment, accompanied by a report (No. 274), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 3869) to grant authority to the Inland Steamship Co., of Indiana Harbor, Ind., to change the name of the steamer *W. R. Woodford* to *N. F. Leopold*, reported the same without amendment, accompanied by a report (No. 275), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 3580) to authorize the change of name of the steamer *Henry A. Hawgood*, reported the same without amendment, accompanied by a report (No. 276), which said bill and report were referred to the House Calendar.

He also, from the Committee on Patents, to which was referred the bill (H. R. 7711) to amend section 4889 of the Revised Statutes, reported the same without amendment, accompanied by a report (No. 273), which said bill and report were referred to the House Calendar.

Mr. FERRIS, from the Committee on the Public Lands, to which was referred the bill (H. R. 17119) granting the courthouse reserve at Pond Creek, Okla., to the city of Pond Creek for school and municipal purposes, reported the same with amendment, accompanied by a report (No. 278), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JONES, from the Committee on Insular Affairs, to which was referred the bill (H. R. 17756) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," reported the same without amendment, accompanied by a report (No. 280), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BARTLETT, from the Committee on Appropriations, to which was referred the bill (H. R. 15118) for the payments of pension without a voucher, and for other purposes, reported in lieu thereof a bill (H. R. 18977) of the same title, accompanied by a report (No. 277), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 18954) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, accompanied by a report (No. 268), which said bill and report were referred to the Private Calendar.

Mr. ADAIR, from the Committee on Invalid Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 18955) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, accompanied by a report (No. 269), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 17381) granting a pension to Mary A. Boyle; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 14315) granting a pension to Elza L. Ross; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 14424) granting an increase of pension to George L. Richter; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HAY: A bill (H. R. 18956) making appropriation for the support of the Army for the fiscal year ending June 30, 1913; to the Committee of the Whole House on the state of the Union.

By Mr. ADAMSON: A bill (H. R. 18957) to amend the act entitled "An act to regulate commerce," approved February 4, 1887, as heretofore amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NORRIS: A bill (H. R. 18958) placing certain positions in the Post Office Department in the competitive classified service, and changing the salaries of postmasters at first and second class post offices, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. McDERMOTT: A bill (H. R. 18959) to provide for the encouragement of agriculture, horticulture, and industrial exhibits in the various States; to the Committee on Public Buildings and Grounds.

By Mr. LAMB: A bill (H. R. 18960) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1913; to the Committee of the Whole House on the state of the Union.

By Mr. FERRIS: A bill (H. R. 18961) to amend the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. GILLET: A bill (H. R. 18962) to amend section 87 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. HAY: A bill (H. R. 18963) authorizing the sale of military reservations which have become undesirable for military purposes, and for the investment of the proceeds of said sales for military purposes which may be approved by Congress; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 18964) to amend section 6 of the act of Congress approved May 20, 1908, entitled "An act authorizing a resurvey of certain townships in the State of Wyoming, and for other purposes"; to the Committee on the Public Lands.

Also, a bill (H. R. 18965) relating to rights of way over public lands, forest and other reservations of the United States; to the Committee on the Public Lands.

By Mr. LAWRENCE (by request): A bill (H. R. 18966) to create a commission to investigate the practicability and advisability of the establishment of a Pan American university or a Pan American bureau of education; to the Committee on Education.

Also (by request), a bill (H. R. 18967) to convene an international conference on education; to the Committee on Education.

By Mr. SMITH of Texas: A bill (H. R. 18968) to amend the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. MARTIN of Colorado: A bill (H. R. 18969) to promote the safety of employees and travelers upon interstate railroads by limiting the hours of service of employees in telegraphic and other service relating to the movement of trains; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 18970) to amend an act entitled "An act to promote the safety of employees on railroads"; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 18971) to increase the limit of cost of the post office at La Junta, Colo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 18972) to appropriate money for the post-office building at La Junta, Colo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 18973) to appropriate money to carry out the provisions of certain acts of Congress; to the Committee on Appropriations.

By Mr. GRIEST: A bill (H. R. 18974) for the relief of heirs of post-office clerks, city delivery carriers, and rural delivery carriers who die from injuries received while on duty; to the Committee on the Post Office and Post Roads.

By Mr. LITTLETON: A bill (H. R. 18975) directing the Secretary of War to cause a survey to be made of East Rockaway Inlet, Long Island, N. Y.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 18976) directing the Secretary of War to cause a survey to be made of Glen Cove Creek, Long Island, N. Y.; to the Committee on Rivers and Harbors.

By Mr. BARTLETT: A bill (H. R. 18977) for the payments of pension without a voucher, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. KAHN: A bill (H. R. 18978) authorizing the Commissioners of the District of Columbia to place on the firemen's pension roll of the District the names of certain persons; to the Committee on the District of Columbia.

By Mr. CAMERON: A bill (H. R. 18979) to authorize the Secretary of the Interior to construct bridges across the San Carlos and Gila Rivers on the White Mountain or San Carlos Indian Reservation, in the Territory of Arizona, and for other purposes; to the Committee on Indian Affairs.

By Mr. HARDWICK: A bill (H. R. 18980) to repeal the tax on oleomargarine; to the Committee on Agriculture.

By Mr. SABATH: A bill (H. R. 18981) appropriating \$850,000 for the erection of a modern office building on property now owned by the United States Government, on the northeast corner of Pennsylvania Avenue and Madison Place, in the city of Washington; to the Committee on Public Buildings and Grounds.

By Mr. OLDFIELD: A bill (H. R. 18982) appropriating the sum of \$100,000 to prevent the further caving of the bank of White River, at Des Arc, Ark.; to the Committee on Rivers and Harbors.

By Mr. HARDY: A bill (H. R. 18983) to provide for erection of public building at Cameron, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. VREELAND: A bill (H. R. 18984) for the erection of a public building at Dunkirk, in the State of New York; to the Committee on Public Buildings and Grounds.

By Mr. BARTLETT: A bill (H. R. 18985) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1913, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. HENRY of Texas: Resolution (H. Res. 390) providing for the appointment of a committee to investigate matters pertaining to our national currency, monetary system, and other subjects, etc.; to the Committee on Rules.

By Mr. STEPHENS of Texas: Resolution (H. Res. 391) authorizing the Secretary of the Interior to retain certain water rights in New Mexico and Arizona; to the Committee on Indian Affairs.

By Mr. LEVY: Resolution (H. Res. 392) to amend Rule XI of the House; to the Committee on Rules.

By Mr. LEVER: Resolution (H. Res. 393) to provide for printing Public Health Bulletin No. 48; to the Committee on Printing.

By Mr. SLAYDEN: Resolution (H. Res. 394) to declare the sense of the House with reference to a third term in the Presi-

dency; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. SHARP: Joint resolution (H. J. Res. 229) favoring the establishment of a national vocational school as the most appropriate memorial to Abraham Lincoln, and authorizing the Lincoln Memorial Commission to execute plans for the same; to the Committee on the Library.

By Mr. HEFLIN: Joint resolution (H. J. Res. 230) authorizing the Director of the Census to collect and publish additional cotton statistics; to the Committee on the Census.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred, as follows:

By Mr. BRADLEY: A bill (H. R. 18954) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House.

By Mr. ADAIR: A bill (H. R. 18955) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House.

By Mr. AMES: A bill (H. R. 18986) granting a pension to Robert Richards; to the Committee on Pensions.

By Mr. BARNHART: A bill (H. R. 18987) granting an increase of pension to William Kreighbaum; to the Committee on Invalid Pensions.

By Mr. BOEHNE: A bill (H. R. 18988) granting an increase of pension to Joseph McAdams; to the Committee on Invalid Pensions.

By Mr. BURKE of Pennsylvania: A bill (H. R. 18989) granting a pension to Anna M. Reed; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 18990) for the relief of the estate of Florian Heins; to the Committee on War Claims.

By Mr. CALDER: A bill (H. R. 18991) for the relief of the heirs at law of Michael Hall, deceased; to the Committee on Claims.

By Mr. CAMPBELL: A bill (H. R. 18992) granting an increase of pension to Luman Briggs; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 18993) granting an increase of pension to John R. Owen; to the Committee on Pensions.

Also, a bill (H. R. 18994) granting an increase of pension to Benjamin M. Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18995) granting a pension to J. B. Fleming; to the Committee on Invalid Pensions.

By Mr. COX of Indiana: A bill (H. R. 18996) granting an increase of pension to Moses J. Howell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18997) granting an increase of pension to James M. Collier; to the Committee on Invalid Pensions.

By Mr. DAVIS of Minnesota: A bill (H. R. 18998) granting an increase of pension to Matilda Graves; to the Committee on Invalid Pensions.

By Mr. DAVIS of West Virginia: A bill (H. R. 18999) granting an increase of pension to John T. Smith, alias Jacob Smith; to the Committee on Invalid Pensions.

By Mr. DENVER: A bill (H. R. 19000) granting an increase of pension to William W. Hughes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19001) granting an increase of pension to Samuel De Voss; to the Committee on Invalid Pensions.

By Mr. DIXON of Indiana: A bill (H. R. 19002) granting a pension to Alta M. Kittle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19003) granting a pension to Amelia J. Sweeney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19004) granting an increase of pension to Mary S. Zuck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19005) granting an increase of pension to Abraham J. Crabb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19006) granting an increase of pension to Barton W. Rodgers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19007) granting an increase of pension to John Wiles; to the Committee on Pensions.

Also, a bill (H. R. 19008) granting an increase of pension to James G. W. Hardy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19009) granting a medal to Mortimer S. Longwood; to the Committee on Military Affairs.

Also, a bill (H. R. 19010) granting an increase of pension to James M. Bryant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19011) granting a pension to Virginia L. Duplan; to the Committee on Pensions.

By Mr. FERRIS: A bill (H. R. 19012) granting a pension to John R. Estes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19013) granting a pension to August H. Merchant; to the Committee on Invalid Pensions.

By Mr. FLOOD of Virginia: A bill (H. R. 19014) granting a pension to Columbus W. Bryan; to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 19015) granting an increase of pension to Thomas Frederick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19016) granting an increase of pension to Charles A. Reed; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19017) for the relief of Nancy H. Fair; to the Committee on War Claims.

By Mr. FOSTER of Illinois: A bill (H. R. 19018) granting an increase of pension to John N. Ungles; to the Committee on Invalid Pensions.

By Mr. FRANCIS: A bill (H. R. 19019) granting a pension to John Creighton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19020) granting an increase of pension to George Crider; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 19021) granting an increase of pension to Severyn T. Bruyn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19022) granting a pension to Rhoda L. Goreham; to the Committee on Invalid Pensions.

By Mr. LA FOLLETTE: A bill (H. R. 19023) granting an increase of pension to Ferdinand Hildebrand; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19024) granting an increase of pension to Melancthon W. Gavin; to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 19025) restoring the name of Margaret C. Roberts to the pension roll; to the Committee on Invalid Pensions.

By Mr. LEWIS: A bill (H. R. 19026) for the relief of the heirs of Elizabeth Francis Butler; to the Committee on War Claims.

By Mr. LITTLETON: A bill (H. R. 19027) granting an increase of pension to Charles P. Cook; to the Committee on Invalid Pensions.

By Mr. McCALL: A bill (H. R. 19028) granting a pension to Ida May Forsyth; to the Committee on Pensions.

By Mr. McKENZIE: A bill (H. R. 19029) granting an increase of pension to William J. Reitzell; to the Committee on Invalid Pensions.

By Mr. MADDEN: A bill (H. R. 19030) granting an increase of pension to W. M. Dalton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19031) for the relief of James T. Little; to the Committee on Military Affairs.

Also, a bill (H. R. 19032) for the relief of Thomas Brougham Baker; to the Committee on Military Affairs.

By Mr. MARTIN of Colorado: A bill (H. R. 19033) granting an increase of pension to David D. Lewis; to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: A bill (H. R. 19034) to correct the military record of Benjamin Taylor, alias Schofield; to the Committee on Military Affairs.

By Mr. MORRISON: A bill (H. R. 19035) granting an increase of pension to James Casey; to the Committee on Invalid Pensions.

By Mr. MOSS of Indiana: A bill (H. R. 19036) granting an increase of pension to Belle Armel; to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 19037) for the relief of Curtis V. Milliman; to the Committee on Military Affairs.

By Mr. RUSSELL: A bill (H. R. 19038) granting an increase of pension to Elize Keys; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19039) granting an increase of pension to John H. Estes; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 19040) granting an increase of pension to Joseph Goudy; to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 19041) for the relief of Morrel H. Jones; to the Committee on War Claims.

Also, a bill (H. R. 19042) for the relief of the legal representatives of P. E. Parker, deceased; to the Committee on War Claims.

By Mr. SAMUEL W. SMITH: A bill (H. R. 19043) granting a pension to Emma J. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19044) granting an increase of pension to Mary E. Parrish; to the Committee on Invalid Pensions.

By Mr. SMITH of Texas: A bill (H. R. 19045) granting a pension to Miles T. Skinner; to the Committee on Pensions.

By Mr. SULZER: A bill (H. R. 19046) granting an increase of pension to Charles Wesley Freund; to the Committee on Pensions.

By Mr. THISTLEWOOD: A bill (H. R. 19047) granting an increase of pension to Allison Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19048) granting an increase of pension to Kate G. Andrews; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19049) granting an increase of pension to George B. Kruse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19050) granting an increase of pension to Catharine A. Trapper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19051) granting an increase of pension to William H. Sterling; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 19052) granting an increase of pension to Perry Morgan; to the Committee on Invalid Pensions.

By Mr. TOWNER: A bill (H. R. 19053) granting an increase of pension to Andrew J. West; to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 19054) granting an increase of pension to Jason J. Tillyou; to the Committee on Invalid Pensions.

By Mr. WHITE: A bill (H. R. 19055) granting an increase of pension to Eli C. Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19056) granting a pension to Martha E. Shannon; to the Committee on Invalid Pensions.

By Mr. WILLIS: A bill (H. R. 19057) granting a pension to Earl W. Maitland; to the Committee on Pensions.

Also, a bill (H. R. 19058) granting a pension to Sallie F. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19059) granting an increase of pension to Daniel B. Wilson; to the Committee on Pensions.

By Mr. HANNA: A bill (H. R. 19060) granting an increase of pension to William Farquer; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petitions of citizens of Martinsburg and Richwood, Mo., remonstrating against extension of the parcel-post system; to the Committee on the Post Office and Post Roads.

Also, memorial of New York Board of Trade and Transportation, for investigation of the pension system of the United States; to the Committee on Invalid Pensions.

By Mr. AMES: Petition of citizens of Massachusetts, in favor of the Berger old-age pension bill; to the Committee on Pensions.

By Mr. ANDERSON of Minnesota: Petition of Wilbusch & Luth and other citizens of Lake City, Minn., in favor of reduction of duty on raw and refined sugars; to the Committee on Ways and Means.

Also, petitions of sundry citizens of Wabasha, Zumbro, Renova, and Elkton, Minn., against extension of the parcel-post service; to the Committee on the Post Office and Post Roads.

By Mr. ANSBERRY: Petition of Hiawatha Tribe, No. 116, Improved Order of Red Men, of Convoy, Ohio, in support of Senate bill 3953 and House bill 16313, for the erection of an American Indian memorial in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, petition of the mayors of Cleveland and Toledo, Ohio, favoring the coinage by the United States Government of 3-cent pieces; to the Committee on Coinage, Weights, and Measures.

By Mr. ANTHONY: Petition of Ivan Coe and other citizens of Huron, Kans., and vicinity, asking for the establishment of a parcel post; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: Petition of John H. Fisher and 14 other citizens of Rittman, Ohio, favoring the enactment of the Sheppard-Kenyon bill, regulating the interstate commerce of liquor; to the Committee on the Judiciary.

Also, petition of John B. Baldwin and 24 other citizens of Dennison, Ohio, asking for the passage of the Sulzer parcel-post bill (H. R. 14); to the Committee on the Post Office and Post Roads.

Also, petition of the Tuscora Chapter of the Improved Order of Red Men, of New Philadelphia, Ohio, asking for the passage of Senate bill 3953 and House bill 16313; to the Committee on Public Buildings and Grounds.

Also, petition of Hon. A. W. Elson, of Dennison, Ohio, favoring the passage of Senate bill 3194 and House bill 13275; to the Committee on the Judiciary.

By Mr. BEALL of Texas: Papers to accompany bill for the relief of Virginia C. Moore; to the Committee on War Claims.

By Mr. BOWMAN: Petition of Miner-Hillard Milling Co., of Wilkes-Barre, Pa., for amendment to the corporation excise-tax law; to the Committee on Ways and Means.

By Mr. BURKE of South Dakota: Petitions of citizens of the State of South Dakota, protesting against extension of the parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. BOOHER: Papers to accompany House bill 18869, granting a pension to Mary E. Dougherty; to the Committee on Pensions.

By Mr. BURKE of Wisconsin: Petitions of citizens of the State of Wisconsin, in favor of Mann bill for observance of Sunday in post offices; to the Committee on the Post Office and Post Roads.

Also, petition of I. B. Wensick, of Plymouth, Wis., remonstrating against any legislation to extend the parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. BYRNS of Tennessee: Papers to accompany bill for the relief of the estate of Florian Heins; to the Committee on War Claims.

By Mr. CAMPBELL: Petition of citizens of the State of Kansas, asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

Also, memorial of the First Congregational Church of Parsons, Kans., for the passage of an effective interstate liquor law; to the Committee on the Judiciary.

Also, petition of citizens of the State of Kansas, against legislation to extend the parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Caney, Kans., for the total elimination of the duties on raw and refined sugars; to the Committee on Ways and Means.

Also, petitions of Pittsburg (Kans.) Council, United Commercial Travelers of America, and of citizens of Cherryvale, Kans., remonstrating against extension of the parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. CATLIN: Petition of St. Louis (Mo.) Master Bakers' Protective and Benevolent Association, asking for a reduction in duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. COOPER: Petitions of Woman's Exchange and others of Racine, Wis., asking a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. DAVIS of Minnesota: Memorial of Tri-State Grain and Stock Growers' Convention, asking for Federal aid to carry out field demonstration work; to the Committee on Agriculture.

By Mr. DIXON of Indiana: Petitions of members of Improved Order of Red Men, urging the erection of an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. DODDS: Petition of citizens of Buckley, Nessen City, and De Witt, all in the State of Michigan, protesting against Senate bill 237, for the proper observance of Sunday as a day of rest in the District of Columbia; to the Committee on the District of Columbia.

By Mr. DRAPER: Petition of Newton D. Baker and Brand Whitlock, mayors of Cleveland and Toledo, Ohio, respectively, in favor of the coinage of 3-cent pieces; to the Committee on Coinage, Weights, and Measures.

By Mr. DYER: Petition of Company E, First Regiment of Infantry, National Guard of Missouri, and of the Business Men's League of St. Louis, Mo., urging the passage of House bill 8141; to the Committee on Military Affairs.

By Mr. FLOOD of Virginia: Petitions of citizens of Augusta County, Va., in favor of reduction in the duty on sugar; to the Committee on Ways and Means.

By Mr. FLOYD of Arkansas: Papers to accompany bill for the relief of Charles A. Reed; to the Committee on Invalid Pensions.

Also, petition of citizens of Carroll County, Ark., protesting against the enactment of any parcel-post law; to the Committee on the Post Office and Post Roads.

By Mr. FORNES: Petition of the mayors of Cleveland and Toledo, Ohio, favoring the coinage by the United States Government of 3-cent pieces; to the Committee on Coinage, Weights, and Measures.

Also, petition of Fuerst Bros. & Co., of New York City, favoring a specific duty on antimony and antimony oxide; to the Committee on Ways and Means.

Also, resolutions of the council of administration of the Department of New York, Grand Army of the Republic, opposing incorporation of the Grand Army of the Republic; to the Committee on the District of Columbia.

By Mr. FOSS: Petition of Cigar Makers' Union, No. 15, of Chicago, Ill., in favor of House bill 17253; to the Committee on Ways and Means.

Also, memorials of St. Chicago Jaeger Court 16, Catholic Order of Foresters, and St. Benedict's Men's Society, of Chicago, in favor of House bill 2896, to provide for a tax upon white phosphorus matches, and for other purposes; to the Committee on Ways and Means.

Also, memorial of the National German-American Alliance, Illinois Branch, of Chicago, Ill., against interstate liquor laws; to the Committee on the Judiciary.

Also, resolution of the Illinois Institute of Accountants, in favor of House bill 14489, for amendment to corporation-tax law; to the Committee on Ways and Means.

Also, memorial of Fairmount Park Art Association, of Philadelphia, Pa., in favor of Lincoln memorial as recommended by park commission; to the Committee on the Library.

Also, resolutions of the Concordia League of Chicago, Ill., in favor of House bill 9242, for the retirement of superannuated and disabled employees of the civil service; to the Committee on Reform in the Civil Service.

Also, petition of the mayors of Cleveland and Toledo, Ohio, favoring the coinage by the United States Government of 3-cent pieces; to the Committee on Coinage, Weights, and Measures.

Also, resolution of the Illinois State Veterinary Medical Association, in favor of House bill 16843, to secure commissions for veterinarians in the United States Army; to the Committee on Military Affairs.

By Mr. FRANCIS: Memorial of Toronto (Ohio) Tribe, No. 230, Improved Order of Red Men, favoring Senate bill 3953 and House bill 16313, providing for the erection of an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, petition of citizens of Martins Ferry, Bridgeport, and Bellaire, Ohio, in favor of Berger old-age pension bill; to the Committee on Pensions.

By Mr. FULLER: Petition of A. Philip Smith, of Rockford, Ill., in favor of Senate bill 3194 and House bill 13275, concerning extension of lien of executions from Federal courts; to the Committee on the Judiciary.

By Mr. GARNER: Petition of the Roach McLymont Co. (Inc.), of Del Rio, Tex., against extension of the parcel post; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of the State of Texas, urging improvement of Aransas Pass Harbor, Tex.; to the Committee on Rivers and Harbors.

By Mr. GOULD: Petition of the Woman's Christian Temperance Union of Skowhegan, Me., for passage of House bill 16214, the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, resolution of the Free Baptist Church, of Waterville, Me., for an effective interstate liquor law; to the Committee on the Judiciary.

By Mr. GRAHAM: Petitions of citizens of twenty-first congressional district of Illinois, asking for a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

Also, petition of St. Vincent's Catholic Society, of Springfield, Ill., favorable to the passage of the Esch bill (H. R. 2896), which is a measure designed to prevent the use of poisonous phosphorus in the manufacture of matches; to the Committee on Ways and Means.

Also, petition of members of the Improved Order of Red Men, of Edinburg, Ill., for the erection of an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, petition of citizens of Virden, Ill., protesting against legislation to extend the parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. GUERNSEY: Petition of citizens of Calais, Me., for the enactment of House bill 14, to extend parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. HAMLIN: Papers to accompany bill for the relief of Martha Coslett (H. R. 17075); to the Committee on Invalid Pensions.

By Mr. HAMMOND: Petitions of Presbyterian and Baptist Churches and the Woman's Christian Temperance Union, of Winnebago, Minn., favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. HANNA: Petition of Herman Rabe, of the Dickinson Bottling Works, of Dickinson, N. Dak., asking for the total

elimination of the tariff on raw and refined sugars; to the Committee on Ways and Means.

Also, petition of citizens of La Moure, N. Dak., against parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of F. E. Winslow and 3 other citizens of Velva, N. Dak., in favor of reduction of duty on raw and refined sugars; to the Committee on Ways and Means.

Also, resolutions of the Tri-State Grain and Stock Growers' convention at Fargo, N. Dak., indorsing bill making appropriations to the agricultural colleges; to the Committee on Agriculture.

By Mr. HIGGINS: Memorial of London (Conn.) Business Men's Association, against abolishment of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Norwalk (Conn.) Board of Trade, for the abrogation of the reciprocity agreement with Canada; to the Committee on Ways and Means.

By Mr. HOWELL: Petition of I. S. Smith and others, of Logan, Utah, remonstrating against the passage of Senate bill 1342; to the Committee on Patents.

Also, memorial of Woman's Christian Temperance Union of Ogden, Utah, in favor of the passage of an effective interstate liquor law; to the Committee on the Judiciary.

By Mr. HUGHES of New Jersey: Petitions of citizens of the State of New Jersey, urging the passage of an effective interstate liquor law; to the Committee on the Judiciary.

By Mr. JACOWAY: Petitions of citizens of Lamar and Ozark, Ark., against parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of Oak Bend Local, F. E. and C. U., No. 1824, of Franklin County, Ark., in favor of parcel post; to the Committee on the Post Office and Post Roads.

By Mr. KENDALL: Petition of citizens of Floris and Pulaski, Iowa, against the parcel post; to the Committee on the Post Office and Post Roads.

By Mr. KORBLY: Memorial of St. Joseph German Catholic Society, of Indianapolis, Ind., in favor of Esch phosphorus bill; to the Committee on Ways and Means.

Also, petitions of citizens of Indiana, urging reduction of duty on raw and refined sugars; to the Committee on Ways and Means.

Also, memorial of the Young People's Society of Christian Endeavor of the First Church of the United Brethren in Christ, of Indianapolis, Ind., in favor of House bill 9433, prohibiting the Sunday opening of post offices; to the Committee on the Post Office and Post Roads.

Also, memorial of the Alliance of German Societies of the State of Indiana, against interstate liquor laws; to the Committee on the Judiciary.

Also, memorial of the Young People's Society of Christian Endeavor of the First Church of United Brethren in Christ, of Indianapolis, Ind., in favor of the passage of an effective interstate liquor law; to the Committee on the Judiciary.

Also, resolution of the Monday Club, of Lafayette, Ind., in favor of treaties of arbitration with Great Britain and France; to the Committee on Foreign Affairs.

Also, resolutions of Howell Post, No. 90, Department of Indiana, opposing incorporation of the Grand Army of the Republic; to the Committee on the District of Columbia.

Also, petitions of J. B. Christensen, J. M. Ingram, and Charles Jordan, for the passage of House resolution 287; to the Committee on Rules.

Also, petition of the Commercial Club of Indianapolis, Ind., for Federal aid in the construction of post roads and highways; to the Committee on Agriculture.

Also, petition of Branch No. 133, Glass Bottle Blowers' Association, protesting against the passage of Senate bill 2564, known as the Smoot printing bill; to the Committee on Printing.

Also, petition of members of the Improved Order of Red Men, in favor of the erection of an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, memorial of committee of wholesale grocers, urging that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

By Mr. LAWRENCE: Petition of citizens of Baltimore, Md., in favor of proposed international conference on education; to the Committee on Education.

By Mr. LEWIS: Petitions of A. Wilson, of Bethesda, Md., and Henry M. Casteel, of Oakland, Md., praying for reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. LOBECK: Memorial of St. Peter German Catholic Society, in support of the Esch bill providing for a tax upon

white phosphorus matches, etc.; to the Committee on Ways and Means.

By Mr. LOUD: Memorial of Rev. James O'Reilly and others, of the Seventh-day Adventist Church of Onaway, Mich., protesting against House bill 9433, for the observance of Sunday in post offices; to the Committee on the Post Office and Post Roads.

By Mr. McDERMOTT: Petitions of German Catholic Society, urging the passage of the Esch phosphorus bill; to the Committee on Ways and Means.

Also, memorial of Camp No. 100, Sons of Veterans, United States of America, indorsing the Sherwood pension bill; to the Committee on Invalid Pensions.

Also, petition of W. D. Allen Manufacturing Co., of Chicago, Ill., for an amendment to the corporation excise-tax law; to the Committee on Ways and Means.

Also, memorial of Lodge No. 320, Order B'rith Abraham, for the termination of treaty with Russia; to the Committee on Foreign Affairs.

By Mr. McHENRY: Petition of Colley (Pa.) Grange, No. 365, asking that certain changes be made in the oleomargarine law; to the Committee on Agriculture.

By Mr. MANN: Petition of Concordia League, of Chicago, Ill., indorsing House bill 9242, for retirement of superannuated and disabled civil-service employees; to the Committee on Reform in the Civil Service.

By Mr. MOON of Tennessee: Memorial of members of the Baptist Sunday school of Maxwell, Tenn., in favor of the passage of an effective interstate liquor law; to the Committee on the Judiciary.

By Mr. MOTT: Petition of J. E. Edwards, of Sterling, N. Y., asking for a reduction in the duty on sugar; to the Committee on Ways and Means.

By Mr. OLDFIELD: Petition of R. N. Counts & Co., of Clarendon, Ark., in favor of reduction of duty on raw and refined sugars; to the Committee on Ways and Means.

Also, petitions of Bland & Co., of Devall Bluff, Ark., and W. J. Peterson, of Blackton, Ark., against parcel post; to the Committee on the Post Office and Post Roads.

By Mr. PALMER: Memorial of Grange No. 1453, Patrons of Husbandry, urging amendments to oleomargarine law; to the Committee on Agriculture.

By Mr. PARRAN: Papers to accompany bill for the relief of John Jakes (H. R. 17906); to the Committee on Military Affairs.

By Mr. RAKER: Papers to accompany House bill 18835, granting an increase of pension to Oscar P. Whitney; to the Committee on Invalid Pensions.

By Mr. REILLY: Memorial of Business Men's Association of New London, Conn., remonstrating against abolishing the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

By Mr. SIMS: Petitions of citizens of Adamsville, Henry, and Savannah, Tenn., in favor of the passage of an effective interstate liquor law; to the Committee on the Judiciary.

By Mr. SMITH of Texas: Petition of citizens of Big Spring, Coahoma, and Crawford, Tex., in favor of reduction of duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. SAMUEL W. SMITH: Petition of the Woman's Christian Temperance Union, of Rankin, Mich., and of sundry citizens of Mundy, Mich., for passage of Kenyon-Sheppard bill to withdraw from interstate-commerce protection liquors imported into "dry" territory for illegal use; to the Committee on the Judiciary.

By Mr. STEPHENS of Nebraska: Petition of W. W. Witwer and others of Creighton, Nebr., in favor of a parcel-post law; to the Committee on the Post Office and Post Roads.

Also, petition of John Kliment and others of Knox County, Nebr., for the total elimination of the tariff on raw and refined sugars; to the Committee on Ways and Means.

Also, petition of William Jahde and others of Knox County, Nebr., in favor of reduction of duty on raw and refined sugars; to the Committee on Ways and Means.

Also, petition of S. P. Mikesell and others of Emerson, Nebr., against extension of the parcel-post service; to the Committee on the Post Office and Post Roads.

Also, petition of J. B. McDonald and others of Pierce, Nebr., in favor of parcel-post law; to the Committee on the Post Office and Post Roads.

By Mr. SULZER: Petitions of the Buffalo Weaving & Belting Co., of Buffalo; Mathews & Boucher and Sibley, Lindsay & Curr Co., of Rochester; and New York Leather Belting Co. and the Dily Manufacturing & Trading Co., of New York, N. Y., in favor of 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, memorial of New York State Society of Public Accountants, protesting against the employment by the United States Government of chartered accountants to the exclusion of cer-

tified public accountants; to the Committee on Expenditures in the Post Office Department.

Also, petition of American Embassy Association, asking that embassy buildings be acquired in the cities of Mexico, Rio de Janeiro, and Tokyo; to the Committee on Foreign Affairs.

Also, petition of Fuerst Bros. & Co., of New York City, relative to duties on antimony metal and antimony oxide; to the Committee on Ways and Means.

Also, memorial of New York Department, Grand Army of the Republic, remonstrating against incorporating the Grand Army of the Republic; to the Committee on the District of Columbia.

Also, petition of Newton D. Baker and Brand Whitlock, mayors of Cleveland and Toledo, Ohio, respectively, in favor of the coinage of 3-cent pieces; to the Committee on Coinage, Weights, and Measures.

Also, petition of De Witt C. Aney, of Bath, N. Y., relative to pension laws; to the Committee on Invalid Pensions.

Also, petition of Mercantile Press Club, of Binghamton, N. Y., for preservation of Niagara Falls; to the Committee on Foreign Affairs.

Also, memorial of New York Board of Trade and Transportation, for investigation of the pension system of the United States; to the Committee on Invalid Pensions.

By Mr. THOMAS: Petition of sundry citizens of Todd County, Ky., protesting against the passage of a parcel-post bill; to the Committee on the Post Office and Post Roads.

By Mr. TOWNER: Petition of O. H. Sayser & Son and others, of Cincinnati, Iowa, remonstrating against extension of the parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. UTTER: Papers to accompany House bill 11358, granting an increase of pension to Mary A. Phillips; to the Committee on Invalid Pensions.

By Mr. WATKINS: Petition of citizens of the State of Louisiana, for old-age pensions; to the Committee on Pensions.

Also, petitions of citizens of the State of Louisiana, in favor of old-age pensions; to the Committee on Pensions.

By Mr. WILLIS: Papers to accompany bill granting a pension to Earl W. Maitland; to the Committee on Pensions.

Also, papers to accompany bill granting an increase of pension to Daniel B. Wilson; to the Committee on Pensions.

Also, papers to accompany bill granting a pension to Sallie F. Wilson; to the Committee on Invalid Pensions.

Also, petition of B. C. Bates and other citizens of Marysville, Ohio, asking for a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. WILSON of New York: Memorial of the Medical Society of the county of Kings, favoring Senate bill 1, for the establishment of a department of health; to the Committee on Interstate and Foreign Commerce.

Also, petition of the mayors of Cleveland and Toledo, Ohio, favoring the coinage by the United States Government of 3-cent pieces; to the Committee on Coinage, Weights, and Measures.

Also, petition of E. R. Thomas Motor Co., of Buffalo, N. Y., favoring proposed Lincoln memorial highway from Washington to Gettysburg; to the Committee on Appropriations.

Also, petition of Fuerst Bros. & Co., of New York City, favoring a specific duty on antimony and antimony oxide; to the Committee on Ways and Means.

SENATE.

TUESDAY, January 30, 1912.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

SENATOR FROM KENTUCKY.

Mr. PAYNTER. I present the credentials of Hon. OLLIE M. JAMES, duly elected by the Legislature of the State of Kentucky a Senator from that State for the term beginning March 4, 1913. I ask that the credentials may be read and filed.

The Secretary read the credentials, as follows:

To the President of the Senate of the United States:

This is to certify that on the 9th day of January, 1912, OLLIE M. JAMES was duly chosen by the Legislature of the State of Kentucky a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1913.

This is to further certify that OLLIE M. JAMES was duly declared elected, as the law provides, a Senator in the Congress of the United States from the State of Kentucky, to represent said State in the Senate of the United States, at a joint session of the Senate and House of Representatives of the Commonwealth of Kentucky, on the 10th day of January, 1912, for a term of six years from the 4th day of March, 1913.

And as the legislature met and organized on Tuesday, January 2, 1912, a doubt existed as to the time the election of a Senator should take place.

This is to certify that on the 16th day of January, 1912, OLLIE M. JAMES was (again) duly chosen by the Legislature of the State of Kentucky a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1913.

This is to further certify that OLLIE M. JAMES was duly declared elected, as the law provides, a Senator in the Congress of the United States from the State of Kentucky, to represent said State in the Senate of the United States, at a joint session of the Senate and House of Representatives of the Commonwealth of Kentucky, on the 17th day of January, 1912, for a term of six years from the 4th day of March, 1913.

Witness: His excellency, our governor, James B. McCreary, and our seal hereto affixed at Frankfort, Ky., this the 25th day of January, in the year of our Lord 1912.

JAMES B. MCCREARY,
Governor of Kentucky.

By the governor.
[SEAL.]

C. T. CRECELINS,
Secretary of State.

Mr. GALLINGER. If I heard correctly, the certificate stated that Mr. JAMES was again elected. I do not know but that that is all right, but it struck me as being rather peculiar and unusual.

Mr. PAYNTER. I will take pleasure in explaining it to the Senator. Our legislature meets the first Tuesday in January. There has been a question, not a serious one, but sufficient to cause the legislature for twenty-odd years to elect on the Tuesday following the assembling of the legislature and also on the second Tuesday following the assembling, so as to make it absolutely certain that the election takes place at the time prescribed.

Mr. GALLINGER. I have no doubt as to the validity of the election of Mr. JAMES, and yet the statement that he was again elected struck me as being peculiar.

Mr. PAYNTER. I am compelled to approve the form of certificate, because I prepared one when I was elected, and I think the same form has been followed.

The VICE PRESIDENT. Without objection, the credentials will be placed on the files of the Senate.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of Johnson Post No. 368, Department of Indiana, Grand Army of the Republic, of Montpelier, Ind., praying for the passage of the so-called dollar-a-day pension bill, which was referred to the Committee on Pensions.

Mr. OVERMAN. I present resolutions adopted by the Chamber of Commerce of Southport, N. C., which I ask may be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the resolutions were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Resolutions protesting against the intended abolition of the Revenue-Cutter Service.

Whereas the recommendations of the Commission on Economy and Efficiency would eliminate the present system of the Revenue-Cutter Service, the operations of which from the Wilmington (N. C.) port alone by one cutter produce a saving of over \$3,000,000 worth of property in one year, besides the lives of many travelers and seafaring people; and

Whereas the Revenue-Cutter Service as now operated gives efficiency and confidence to the shipping interests dealing along our coasts and adds dignity and prestige to our country; and

Whereas the Commission on Economy and Efficiency hope to make a saving of \$1,000,000 a year by the abolition of the Revenue-Cutter Service (which amount is insignificant when compared with the value of property and life saved by one cutter during an equal period): Be it

Resolved, That the chamber of commerce of the city of Southport, N. C., through its committee, protests against such action and requests the Sixty-second Congress to vote down any recommendation or bill introduced with the intent or purpose of abolishing or interfering with the operation or maintenance of the Revenue-Cutter Service; be it further

Resolved, That the chamber of commerce of the city of Southport, N. C., at this time express its appreciation of the dangerous and commendable services rendered by Capt. John G. Barry and Lieut. L. C. Covell, of the cutter *Itasca*, in saving lives and property in the recent accidents on the North Carolina coast; be it further

Resolved, That these resolutions be made a part of the records of the chamber of commerce and that a copy of these resolutions be addressed to our Senators and Representatives in Congress with a prayer that they exert their capable energy in behalf of an action to defeat any recommendation or bill having for its purpose or intention an interference with the present Revenue-Cutter Service.

Respectfully submitted.

HENRY P. O'HAGAN,
L. J. PEPPER,
E. H. CRAMNER,
Committee.

Mr. OVERMAN presented petitions of sundry citizens of Charlotte, N. C., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside liquor dealers, which were referred to the Committee on the Judiciary.

Mr. GARDNER presented petitions of the Woman's Christian Temperance Unions of Windham, Belfast, Lubec, Skowhegan, Gray, and South Windham; of the congregation of the First